Summary of the Swedish Government Communication (2005/06:95)

A National Action Plan for Human Rights 2006–2009

Human rights must not be violated. This document presents a summary of the Swedish action plan for human rights. The summary is intended to give an overall picture of the action plan, which is considerably more detailed, with the focus on how the work of producing the action plan was performed.

The National Action Plan for Human Rights 2006–2009 was submitted to the Swedish Parliament, the Riksdag, in March 2006 in the form of a Government Communication (skr. 2005/06:95). The original version of the communication contains an action plan with 135 measures intended to be implemented during the period 2006–2009 (part I) based on a survey of the human rights situation in Sweden in 2005 (part II). These two parts have been shortened and integrated with one another in this summary. However, to illustrate how the original version of the communication is arranged, the full version of two areas, the sections on international undertakings and on national minorities, has been included with excerpts from the survey and action plan also being included in this summary.

The whole communication is available on the Government's website on human rights, www.humanrights.gov.se. This summary in English has also been published there. The summary can also be ordered at www.sweden.gov.se

A general election to the Riksdag took place in Sweden in 2006 and a new government took office. The new government broadly supports the national action plan for human rights and regards this as one of the bases for work in this area during its period of office from 2006 to 2010. There may, however, be minor discrepancies in how particular measures in the action plan are implemented, due, for instance, to changed current or political circumstances.

Contents

1 Introduction

1.1 The Government's long-term objective

The Government's long-term objective is to ensure full respect for human rights in Sweden. To achieve this objective, the Government intends to increase knowledge and awareness of human rights, to improve the coordination of efforts and to promote human rights in other ways.

The Government's long-term objective for work with human rights at the national level is to ensure *full respect* for human rights. This means that human rights, as expressed in Sweden's international obligations, may not be violated. The Swedish legal system must comply with the international human rights conventions that Sweden has acceded to and these conventions shall be complied with at both central and local government levels.

An important method in efforts to achieve the objective of full respect for human rights is to *increase knowledge and awareness* of these rights. This applies both to the public sector, i.e. the government agencies, courts, municipalities, municipalities and county councils that are responsible for respecting human rights, and to the general public, which should be aware of, make use of, assert and safeguard their rights. Efforts to increase knowledge and awareness of human rights cannot be regarded as a temporary measure but must be an ongoing process. These efforts should also include measures in the public sector, including the educational sector, and measures focused on the general public. This work should take place in a dialogue with private actors active in the area, such as NGOs.

Another important method to achieve full respect for human rights is to *improve the coordination* of work on protecting and safeguarding human rights. Human rights are expressed at many levels of the Swedish legal system. The work on ensuring that rights are respected and promoted needs to be pursued in many policy areas and at several levels of society. It is important that work on human rights is characterised by a common approach and coordination both as regards the relationship between the different parts and levels of Swedish society as in the relationship between Sweden's national and international work.

Human rights shall also be *promoted in other ways*. Legislation is a key method to ensure respect for human rights that are guaranteed in international conventions and in the constitution. Sweden shall also maintain a high level of ambition as regards the national work for rights and endeavour also to improve protection in areas relating to human rights where the international system of rules is not yet so well developed. Furthermore, it should be borne in mind that many of the requirements of the international conventions on human rights are to be regarded as minimum levels. The fact that Sweden can be considered to comply with a particular right must not therefore lead to work ceasing in this area.

1.2 The intention of the action plan

The Government's intention with the national action plan for human rights is to take a coherent approach to and to review the human rights situation and, on the basis of this review, to work systematically towards the long-term objective of achieving full respect for human rights in Sweden. The action plan is accordingly a tool to achieve this goal.

In a broader sense, the Government's intention with the national action plan for human rights is to work towards a society where the rights of all human beings are respected and their basic needs met and where the individual is not violated or marginalised. Work on protecting and promoting human rights must be pursued on a broad front and take into account all the various rights that Sweden has undertaken to respect in international agreements. The individual shall be assured of these rights without being discriminated against. A society where this is the case is stronger and more stable than a society where human rights are set aside.

There is mutual interdependence between democracy and human rights. According to the communication *Policies for democracy* (skr. 2003/04:110), democracy is predicated on human rights at the same time as human rights are reinforced by a democracy based on broad participation by citizens.

The United Nations World Conference on Human Rights in Vienna in 1993 affirmed that human rights are indivisible. This means that economic, social and cultural rights are as important as civil and political rights and that rights interact and support one another. By way of example, people who are socially or economically marginalised usually have fewer opportunities to make use of their civil and political rights, which leads to unequal political participation and political exclusion.

At the same time, an effective democracy, based on broad citizen participation, is key in the work of protecting and promoting human rights. Political participation is a means for people who want to exert influence and change, for instance, their own situation or that of others. By participating and becoming involved, the individual can also react if human rights are called into question, threatened or violated. It is also by democratic discussion that balances can best be struck between different rights.

It is moreover generally acknowledged that there is a correlation between democracy and human rights on the one hand and economic development on the other.

Efforts to promote human rights are an important component in the Government's strategy for sustainable development. According to the Government Communication *Strategic Challenges – A Further Elaboration of the Swedish Strategy for Sustainable Development* (skr. 2005/06:126), sustainable development proceeds from joint responsibility and calls for a society characterised by democratic values and respect for human rights. All citizens must enjoy equal rights and opportunities, regardless of gender, ethnicity, cultural background, religious or other personal creed, disability, sexual orientation, class and age. All people and social strata must have possibilities to become involved and participate. For that to happen, the Government, public agencies, employers, unions and voluntary organisations must cooperate

and interact. Collaborative initiatives are therefore required at the local, regional, national, EU and global levels.

The action plan focuses on matters relating to the Government's work for human rights at the national level. However, it should be emphasised that there is a close correlation between these issues and the Government's foreign policy efforts for human rights. According to the Communication *Sweden's Policy for Global Development* (skr. 2004/05:161), measures within each particular area of policy shall contribute to being able to comply with the goal of equitable and sustainable global development. The basic prerequisites for sustainable development are peace and security, democracy and good governance, economic growth and respect for human rights as well as gender equality.

The recipient of the National Action Plan is the Swedish Parliament, the Riksdag. The communication is also intended for use within, for instance, central government agencies, municipalities and county councils. Sweden also participates in an international exchange of experiences on the use of national action plans for human rights.

The first national action plan for human rights was presented in January 2002 and covered the period 2002–2004. A summary of this document in English can be found on the Government's website at www.humanrights.gov.se. In the autumn of 2004, the action plan was followed up and evaluated. The Action Plan presented here in this Summary is accordingly the second of its kind. The measures in this action plan are to be implemented during the period 2006 to 2009.

During the period 2000 to 2006, the Government worked on the basis of a special Communication in the field of discrimination, *A national action plan to combat racism, xenophobia, homophobia and discrimination* (skr. 2001/01:59). Instead of dealing with these issues in a further new action plan, the issues were integrated in the Action Plan for Human Rights. The national action plan accordingly also includes measures against racism, xenophobia, homophobia and discrimination. In this way, it is emphasised that protection against discrimination and intolerance are human rights issues.

1.3 Delimitations

The national action plan for human rights is focused on efforts to protect and promote human rights at the national level. Accordingly, it does not include Sweden's work for human rights in international contexts. These questions are clarified, in among other places, in the Government Bill *Shared Responsibility: Sweden's policy for global development* (Government Bill 2002/03: 122) and the Communication *Human Rights in Swedish Foreign Policy* (skr. 2003/04:20) available in English translation at www.humanrights.gov.se.

The national action plan for human rights takes a coherent approach to issues relating to human rights in Sweden. It should be mentioned that there are also a number of documents that deal with matters relating to human rights in a more detailed way in different policy areas, for

instance, communications and bills on equality, disability policy and the rights of the child.

1.4 What is meant by human rights?

Human rights means the rights that states guarantee the individual through international agreements with a view to protecting her from encroachments of basic liberties, from different types of violations and to meet her basic needs. Human rights express obligations which the public sector – ultimately the Government – has towards the individual. Rights can be enjoyed by the individual alone or together with others. The basis for the Government's work of protecting and promoting human rights at the national level is thus the undertakings that Sweden has made by acceding to international agreements on human rights.

One of the most central international documents on human rights is the Universal Declaration of Human Rights of 1948. According to the first article, "All human beings are born free and equal in dignity and rights". Thus all human beings have human rights, without distinction, from the sole fact of being human.

Since the declaration was adopted, the international system for protection of human rights has been extended and developed by a number of conventions and other documents adopted by the United Nations (UN), the Council of Europe, the International Labour Organisation, and other international organisations. The most important international documents on human rights which Sweden has acceded to are contained in a list in English at www.manskligarattigheter.se

In the first place, it is the government of a country that is responsible for ensuring that rights are put into practice by an effective legal system, legislation, education, social support and other measures. However, the public sector as a whole, as well as the courts, are responsible for respecting human rights. The state furthermore has an obligation to provide the individual with basic protection against encroachments by private actors and to investigate and punish such violations. Encroachments that private players are guilty of do not mean, however, that the private actor violates human rights.

Human rights are often divided into the categories civil and political rights and economic, social and cultural rights. In brief, it can be said that the civil and political rights are to protect the freedom of the individual with regard to, for instance, thoughts, opinions, religion and freedom of association and make certain political and legal demands on the state, such as free, regular and secret elections and access to courts. The civic and political rights are also intended to protect the individual against various forms of violation, such as torture and capital punishment. The economic, social and cultural rights are intended to ensure the basic needs of the individual with respect to, among other things, work, education, living standards and health, as well as to meet ethnic, religious and cultural minorities and indigenous peoples' needs to retain and develop their own identity.

1.5 Key principles of human rights policy

The principle of *universality* is important in the work for human rights at both national and international level, According to this principle, rights in the UN Universal Declaration on Human Rights are universal, i.e. they apply to all people, without distinction, and shall be respected throughout the world, regardless of country, culture or specific situation. At the national level, the principle has, among others, the consequence that representatives of the state, municipality and county council may never interpret rights differently or give them different importance depending on e.g. the culture or religion of the violated person.

Another central principle is the *indivisibility* of human rights. The principle of indivisibility means that all human rights are equally important, mutually interdependent and a part of the same whole. This principle, as well as the principle of universality, was affirmed by the UN World Conference on Human Rights in Vienna in 1993. Since then the principle has been reiterated and confirmed in a large number of international contexts. There has sometimes been a tendency, both in international and national work for human rights, to give economic, social and cultural right less priority than civil and political rights. However, the Swedish government has declared in a number of contexts, among other places in *A national action plan for human rights* (skr. 2001/02:83) and *Human rights in Swedish foreign policy* (skr. 2003/04:20) that rights shall not be graded.

A third principle which is central for human rights is the principle of *non-discrimination*, according to which rights are to be granted to everyone without discrimination due to sex, ethnicity, religious belief or other personal creed, disability, sexual orientation, age or other circumstance which applies to the individual as a person. To combat discrimination is a central goal in the Swedish work for human rights both at the international and the national level.

1.6 The main content and structure of the plan

The original Communication contains a national action plan for human rights covering the period 2006–2009 and a survey of the situation for human rights in Sweden in 2005.

In part I of the Communication, which contains the action plan, the Government initially presents its long-term goal in the work for human rights at the national level, the objective of the action plan and the background to the Communication. Certain matters are then dealt with concerning Sweden’s international commitments on human rights. A number of measures are then announced aimed to protect and promote certain rights. Furthermore, issues are taken up relating to the organisation and coordination of work to promote rights and work to influence attitudes, among other ways by education, training and information on human rights. Finally, it deals with how the action plan is to be followed up and analysed.

Part II of the Communication contains a survey of the situation for human rights in Sweden in 2005. This survey was produced as a basis for the action plan.

This summary provides a condensed description of the original version of the Communication which is approximately 300 pages. Texts from the survey of the situation for human rights in Sweden in 2005, included in the original version, are not generally reproduced here. However, there is an excerpt from the survey in section 3 on Sweden's international undertakings on human rights, and in section 4.3 on national minorities. This is intended to provide the reader with a picture of how the original version of the Communication was arranged and how the action plan is based on the survey.

2 Background and preparations

2.1 Background

The UN World Conference on Human Rights in Vienna in 1993 recommended each member state to consider the desirability of drawing up a national action plan for human rights. A number of states, including Sweden, have complied with this recommendation. In January 2002, the Government presented the Communication *A national action plan for human rights* (skr. 2001/02:83) to the Riksdag (Parliament). The action plan covered the period 2002–2004. In preparation for drawing up the action plan, a survey was made of human rights at the national level (Ds 2001:10 *Human Rights in Sweden – a baseline study*). Sweden's first National Action Plan for Human Rights has been implemented and evaluated.

In the first action plan, the Government stated its intention of starting work in December 2004 on a further action plan. This work took place during 2005 and resulted in the Communication, *A national action plan for human rights 2006–2009*, being presented to the Riksdag in March 2006.

2.2 Different phases of the work

With the communication *A national action plan for human rights* (skr. 2001/02:83), a new instrument was created for the work of promoting human rights, which was carried out by the Government and a number of other actors. Both the work of producing the first survey and action plan as well as the process of implementing the action plan provided important experiences for the work on the action plan presented in this summary.

The first action plan for human rights, covering the period 2002–2004, stated that the plan was to be monitored. This follow-up was made by an inter-ministerial working group for human rights with representatives of all ministries within the Government Offices. The result of this

monitoring as at 31 December 2004, when the period covered by the action plan ended, is presented as an appendix to the original version of the communication. By way of summary, it can be said here that practically all measures announced in the first action plan were carried out within the planned period.

The first action plan for human rights also stated that it was to be evaluated. In a Government Decision of 29 July 2004, this task was given to then Secretary-General of the Olof Palme International Center, Thomas Hammarberg, subsequently appointed as the Council of Europe's commissioner for human rights, to assist the Ministry of Justice to evaluate the action plan. According to the directives for this task, the evaluation was to cover the implementation and results of the action plan and make recommendations for the next action plan. The evaluation, which was completed on 19 January 2005, was sent to all members of the reference groups, who are presented below (see section 2.4). It was also published on the Government's website www.humanrights.gov.se. The conclusions of the evaluator are included in Appendix of this summary.

As a first step in the work on the second action plan, a survey was made of Sweden's compliance with its international human rights obligations.

2.3 Survey work

The survey, or base-line study, *The situation for human rights in Sweden in 2005*, is presented in its entirety in the original version of the communication. Only a couple of extracts have been included in this summary as mentioned above. The survey sheds light on the deficiencies that may exist in protection and promotion of human rights in Sweden and provides a basis for the national action plan for human rights. It is based on a summary of the points of view and other material for protection of human rights in Sweden, as described below. The survey describes the situation up to and including 31 December 2005, with a few exceptions for later events. This means that circumstances that took place after this date are not covered by the survey.

The survey is intended to take up most problems of a structural nature, i.e. deficiencies in the protection of rights that do not arise due to errors on particular occasions but which are or risk recurring and affecting a lot of people. The survey also covers cases which have been subject to consideration by an international body, such as the European Court for Human Rights. Circumstances which are per se problematic but which are not related to the international recognised human rights are not included in the survey.

The survey also includes matters concerning the organisation and coordination of the work to protect and promote human rights in Sweden. Finally, matters relating to education, information and research on human rights are dealt with. In the two last-mentioned parts, the survey also serves as the basis for the measures announced in the action plan.

The survey is based on a considerable number of points of view, proposals and other material collected, which is presented in more detail in sections 2.4 and 2.5 below.

2.4 An open process

It was an important starting point both for the work of the survey and the action plan that they were to be produced in an open process for consultation with various parts of society. According to the UN handbook on national action plans for human rights, an action plan of this kind will be both a result and a process (see the website www.unhchr.ch/pdf/nhrap.pdf). These two aspects are presented in the handbook as equally important. The Government shares this view. Through an open process for preparation of the survey and the action plan, various sections of the community can be mobilised in the work for human rights and knowledge spread about the coming action plan. It is emphasised in the handbook that consultation and dialogue are also important for increasing confidence, legitimacy and the effectiveness of work of achieving full respect for human rights.

For these reasons, points of view and proposals on the content of the communication were obtained from a large number of actors in the community, who were divided into the following informal reference groups:

- the political parties in the Riksdag (Parliament)
- the Offices of the Equal Opportunities Ombudsman, the Ombudsman against Ethnic Discrimination, the Children's Ombudsman, the Disability Ombudsman, the Ombudsman against Discrimination on Grounds of Sexual Orientation and the Chancellor of Justice,
- agencies within the judicial system and the Swedish Bar Association,
- other agencies,
- municipalities and county councils,
- universities and other institutions of higher education,
- the social partners, and
- NGOs.

Invitations to take part in the work with the survey and the action plan were sent to almost 400 representatives of these reference groups. Special meetings were held with all the reference groups. They were also given the opportunity to submit written points of view and proposals, in a first phase on the content of the survey and later with regard to the content of the action plan. The points of view and proposals put forward at the meetings with the reference groups and in written statements on the content of the survey and the action plan were reported in detail in part II of the original version of the communication. A list of all actors who have been invited to submit points of view is contained in Appendix 2 of this summary.

In December 2005, a draft action plan was sent to the reference groups for their points of view. A large number of written statements with points of view on the draft were received in January 2006. These points of view were incorporated in the communication as far as possible.

2.5 Material and selection

The starting point for the problems, points of view and measures reported both in the survey and the action plan consists of Sweden's international human rights obligations.

The selection of the human rights issues to be dealt with has been made on the basis of a large quantity of material collected. This material included *in the first place* points of view from international bodies with the task of examining the state's compliance with conventions on human rights. Since the Government's aim is full respect for Sweden's international human rights obligations, points of view and recommendations from international bodies of how Sweden complies with these rules provide important guidance for work on rights. In the Communication, material has been used from the European Court of Human Rights and the UN treaty bodies, among others.

Secondly, the points of view provided through the evaluation of the first action plan are important material. The points of view of the evaluator are in turn based on points of view and proposals obtained from a number of actors, such as NGOs, researchers, experts and state agencies. The recommendations of the evaluator are summarised in Appendix 1.

Thirdly, points of view and proposals were obtained from the reference groups in accordance with the description in section 2.4 above.

Finally, to shed light on various factual circumstances, material was obtained regarding measures undertaken by the Government, the Riksdag (Parliament) and state agencies which had a bearing on the points of view submitted.

The survey of the situation for human rights in Sweden in 2005 (Part II of the original version of the communication) mostly consists of a description of the points of view collected through the material mentioned above. The Government's own assessments are mainly expressed in the action plan (Part I of the communication). There is considerable, although not complete, agreement between the matters dealt with in the survey and those that have been the subject of measures in the action plan. In general, it can be said that the Government opted in the action plan not only to highlight a selection of areas as priority issues but instead to take a broad approach to most issues that emerged as important during the survey period. Furthermore, it may be mentioned that a couple of areas, including democracy policy, were the subject of measures in the action plan despite not being dealt with especially in the survey.

As a consequence of this method of work, where the points of view from international bodies, the evaluator and the reference group are of crucial importance for the content of the document, most measures in the action plan are focused on counteracting all forms of discrimination. It is evident from the survey that discrimination is the most serious problems as regards Sweden's realisation of human rights at the national level. Discrimination issues are dealt with in a separate section in the action plan but are also taken up in connection with the economic, social and cultural rights, since there are discriminatory differences in how these rights are realised for men and women respectively and for different

population groups, for instance, people born abroad and in Sweden respectively.

In accordance with the evaluator's recommendations and the experiences obtained through implementation of the first action plan, the Government also opted to especially highlight measures intended to increase knowledge and awareness of human rights in public administration and the educational sector.

3 Sweden's international human rights obligations – developments since 2002

3.1 Introduction

This section deals with matters relating to Sweden's international obligations on human rights, for instance, Sweden's reports to international bodies, Sweden's accession to new conventions on human rights and reservations made by Sweden to the conventions that Sweden has already acceded to.

A review of the international and national protection for human rights and the existing control mechanisms and actors in this area was previously undertaken in the ministerial memorandum *Human Rights in Sweden – a baseline study* (Ds 2001:10) and the Communication *A national action plan for human rights* (skr. 2001/02:83). These reviews did not therefore need to be repeated in the new baseline study (survey) and the action plan. Instead, the latter documents described the important events that had taken place in the area since the first action plan for human rights was presented to the Riksdag (Parliament) in January 2002, such as conventions that had come into force or been ratified by Sweden. Furthermore, a list was made of the reports submitted by Sweden to international treaty monitoring bodies, the comments made by these bodies on Sweden's reports and the decision and judgments notified as a result of individual complaints against Sweden submitted to regional and international bodies.

An extract from the survey, i.e. from Part II of the original version of the Communication, is shown below (section 3.2). No substantial review is made in this section of the rights issues brought to the fore by reports, judgments and decision concerning Sweden or of the development of the international system for protection of human rights. These have instead been taken up in connection with the various rights issues dealt with in the original version of the Communication. It should be noted that the survey relates to the situation as at 31 December 2005. Events which took place later are accordingly not covered.

The extract from the survey is followed in section 3.3 by an extract from the Action Plan, i.e. Part I.

3.2 Sweden's international human rights obligations – extract from the survey

3.2.1 New conventions, etc.

The UN Convention on the Elimination of all Forms of Discrimination against Women of 1979 contains a framework to ensure equal rights for women and men. The Convention came into force in 1981. On 24 April 2003, Sweden ratified the Optional Protocol of the Convention. The protocol gives individuals and groups of individuals the right to complain to the UN Committee on the Elimination of Discrimination against Women in alleged cases of breaches of the Convention. The protocol also enables the Committee to investigate, on its own initiative, serious and systematic breaches of the rights stated in the Convention.

On 1 July 2003, the UN Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families came into force. In accordance with the Convention, a committee has been set up to monitor states' compliance with the Convention. States acceding to the Convention undertake to submit reports to the Committee every fifth year on the implementation of the Convention's rules at national level. When ten states have agreed to submit to this examination, the Committee will also be able to examine individual complaints against the state. The Committee held its first meeting in March 2004. Neither Sweden nor any other EU Member State has ratified the Convention.

A number of conventions have been supplemented with protocols in recent years. In December 2002, the UN General Assembly adopted a new optional protocol, which has not yet come into force, to the UN Convention against Torture. The protocol is intended to establish an international and national visiting and inspection system to prevent torture and other cruel, inhuman or degrading treatment or punishment in connection with deprivation of liberty. A sub-committee to the UN Committee against Torture is to be established and the protocol also makes demands for a national institution. Both of these bodies are to work in a preventive way. The sub-committee is to visit places where people are detained, provide advice and assist the national bodies, make recommendations to states with a view to strengthening their ability to prevent torture etc. and collaborate with the UN system. The national institutions are to be able to visit detention centres, make recommendations to the government to improve the treatment of those detained and submit points of view on relevant legislation. Sweden signed the protocol and ratified it in 2005.

Two optional protocols to the UN Convention on the Rights of the Child have come into force. One protocol deals with the rights of children who have been involved in armed conflicts. The protocol came into force in February 2002 and was ratified by Sweden in February 2003. The second protocol prohibits the sale of children, child prostitution and child pornography and demands that the States Parties make such actions criminal offences and punish those who commit them. This protocol came into force in January 2002. In a Bill (Government Bill 2005/06:68) recently submitted to the Riksdag (Parliament), the Government proposes that the Riksdag approve the protocol. The

Government further makes the assessment that certain changes to the law must be made to enable Sweden to ratify the protocol. This entails introducing a new provision in the Penal Code making improperly inducing consent for the adoption of a child an offence.

In December 2000, the UN Convention against Transnational Organized Crime and its supplementary protocol to prevent, suppress and punish trafficking in persons, especially women and children, was opened for signature. Sweden ratified the Convention and the protocol in 2003. Within the Council of Europe, work was concluded during 2005 on producing a new European convention against human trafficking. Sweden signed the Convention in May 2005. In December the same year, the Government decided on a directive to an investigator who, among other things, is to analyse the question of Sweden's accession to the Convention and the changes to the law that may be required in this case (ToR 2005:152).

A number of international documents on violence in the name of honour have been adopted by the UN in recent years. These documents are not binding instruments for states although they none the less indicate that work with these problems is regarded as very important. A number of reports on violence in the name of honour have been produced within the UN, by the Secretary-General among others, and by the special reporters on violence against women and on extra-legal summary and arbitrary executions.[1] In October 2004, the UN General Assembly also adopted a resolution on the elimination of crimes against women and girls committed in the name of honour.[2]

Within the UN, work has started on a convention on the human rights of the disabled. Sweden participates in an ad hoc-committee which has been established under the General Assembly to produce a convention text. The work with the convention emphasises that the international community attaches great importance to the ability in practice of persons with disabilities to exercise human rights. Since 1994, there are also the UN Standard Rules on the Equalization of Opportunities for Persons with Disabilities, which are not formally legally binding, but which provide guidance in the work of developing a national disability policy. It may be added that Sweden has ratified the central ILO Convention in this area, Vocational Rehabilitation and Employment (Disabled Persons) Convention (no 159).

The work on issues relating to corporate responsibility in relation to human rights has developed at both the national and global level. In March 2002, the Prime Minister, the Minister for Foreign Affairs, the Minister of Trade and the Minister for Development Cooperation invited the Swedish business sector to participate in the Global Responsibility initiative. This initiative is intended to promote work by Swedish companies for human rights, basic working conditions, the prevention of corruption, and a better environment. The activities of Global Responsibility are based on the international conventions and norms for companies in the OECD guidelines for multinational companies and the UN Global Compact. The OECD guidelines contain recommendations to

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[1] UN documents A/57/169, E/CN.4/2003/75 and E/CN.4/2003/3 respectively.
[2] UN document A/C.3/59/L.25.

multinational companies and have been negotiated by Governments working together with the business sector and trade unions. 39 governments have acceded to the guidelines. In 1999, the UN Secretary-General Kofi Annan took the initiative to the establishment of the UN Global Compact. This initiative aims at encouraging and supporting companies in their activities based on ten basic principles on human rights, working conditions, the environment and corruption.

In July 2003, protocol no. 13 to the European Convention for the Protection of Human Rights and Fundamental Freedoms (European Convention on Human Rights) came into force. According to this protocol, capital punishment is to be completely abolished in the States Parties. No exemptions or reservations about the prohibition against capital punishment are permitted under any circumstances. Sweden ratified the protocol in April 2003.

On 1 April 2005, protocol no. 12 to the European Convention on Human Rights came into force. This protocol contains a general prohibition against discrimination. Sweden has neither signed nor ratified this protocol, and also abstained when the Council of Europe's Committee of Ministers voted on the protocol. The reasons for this have been described in the Government's first national action plan for human rights.

In May 2004, protocol no. 14 to the European Convention on Human Rights was adopted. This protocol is intended to rationalise the work of the European Court in various respects. The protocol, which has not yet come into force, was ratified by Sweden in November 2005.

In December 2003, the OSCE Council of Ministers decided to adopt an action plan to improve the situation of Roma and Sinti in Europe.[3] The overall intention of the action plan is to strengthen the efforts of the participating states and the relevant OSCE institutions to ensure that Roma and Sinti are empowered to play a full and equal part in our societies and to eliminate discrimination against them. Both the participating states and the OSCE institutions are urged to implement the action plan.

Within the EU, a new council directive was adopted in 2004 with minimum standards for the qualification and status of third country nationals or stateless persons as refugees or as persons who otherwise need international protection and the legal status of these persons. According to this directive, which is also referred to as the asylum qualification directive, persecution due to sexual orientation is also to be included in the convention refugee concept.

A number of issues pertaining to EU's sphere of competence concern human rights to a very great extent, including asylum policy and equality policy. Besides the more specific EC legal rules that concern various rules relating to human rights, such as non-discrimination and equality, there has since 2000 been a special document to protect human rights within the EU, the European Union Charter of Fundamental Rights, known as the EU Charter. The Charter concerns rights for citizens which shall be respected by the Union's institutions and bodies and by the Member States when they apply EC law. The Charter is not binding but

[3] OSCE, document MC.DEC/3/03.

is a political document. It underlines that human rights also applies for the EU even if the Union has not as such acceded to any convention in this area. However, all EU Member States have already acceded to the European Convention on Human Rights.

In June 2004, the European Council agreed on a new EU treaty which comes into force if ratified by all Member States. The new treaty includes a provision which would make it possible for the EU to accede to the European Convention on Human Rights. The provision on fundamental human rights is also included in the treaty and can thus be legally binding if the treaty comes into force.

The European Monitoring Centre on Racism and Xenophobia (EUMC) is an example of a body that works with human rights issues within the EU. The EUMC, which is located in Vienna, has as its foremost task to provide the EU and its Member States with information about, among other things, racism and ethnic discrimination. The Centre also prepares strategies for preventing racism and ethnic discrimination and spreading good examples within this field. At the European Council meeting in Brussels in December 2003, it was decided that the mandate for the EUMC would be broadened to make the Centre into an agency for human rights. It was considered that there was a need to promote and increase protection for human rights and fundamental freedoms. The Commission presented its proposal for a Council Regulation on setting up an agency for fundamental human rights on 30 June 2005. According to the proposal, the agency should assist and provide expert knowledge related to human rights to relevant institutions, organisations, offices and agencies within the Community and its Member States in connection with the implementation of EC law, to assist them to fully respect the fundamental rights when they undertake measures or design action plans within their spheres of competence. The Swedish government welcomes the establishment of an EU agency for fundamental rights and considers that this should lead to increased protection for fundamental rights within the Union. However, it is of key importance to avoid duplication of effort and that the establishment of an agency for fundamental rights provides added value. According to the proposal, it is intended that the agency be operational on 1 January 2007.

Following an invitation by the European Council in 2004, the Commission presented a proposal in March 2005 to set up a European equality institution. This proposal is being prepared at present and the Council and the European Parliament are expected to make a joint decision on a regulation during 2006. The tasks of the institute will be to collect and disseminate information about research and development work in the sphere of equality and to create arenas for exchange of experience between the Member States and to contribute to the development of methods for equality integration. The goal is for the institute to be operational in 2007. Since the end of the 1990s, Sweden has actively worked for a European equality institution to be established and regards it as an important resource within the EU.

3.2.2 The United Nations – Sweden's reports and individual complaints relating to Sweden to the monitoring committees, etc.

The states parties to the UN conventions on human rights submit reports at intervals of a few years to the supervisory committees on how the conventions are implemented at the national level. Meetings also take place where the monitoring committees and the reporting state engage in a dialogue on the report and discuss various issues arising from it. Since the national action plan for human rights was presented to the Riksdag (Parliament) in January 2002, Sweden has submitted its 15th and 16th report (in one document) to the UN Committee against Racial Discrimination, its third report to the UN Committee on the Rights of the Child, a supplementary report to the UN Committee for Human Rights and a fifth right to the UN Committee against Torture.[4]

The comments made by the UN supervisory committees since 2002 concerning Sweden are as follows:

- Concluding observations from the Committee for Human Rights on Sweden's fifth report (2002),
- Concluding observations from the Committee against Torture on Sweden's fourth report (2002),
- Concluding observations from the Committee against Race Discrimination on Sweden's 15th and 16th reports (2004) and
- Concluding observations from the Committee for the Rights of the Child on Sweden's third report (2005).[5]

All reports have been translated and made available on the Government's website on human rights, www.humanrights.gov.se.

A number of individual complaints have been dealt with by the UN monitoring committees since 2002. During this period, the UN Committee for Human Rights has considered two individual complaints against Sweden. One complaint was deemed inadmissible[6], while the other was dismissed.

Since 2002, the Committee against Torture has made twenty-five statements on cases concerning individual complaints against Sweden. Five of these complaints have been deemed inadmissible by the Committee[7] and four have been dismissed. In thirteen cases, the Committee concluded that it was not a violation of the Convention to expel the complainant.[8] In two cases, it was noted that it would entail a

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[4] UN document CERD/C/452/Add.4 (Sweden's report to the UN Committee against Race Discrimination), CRC/C/125/Add.1 (Sweden's report to the UN Committee on the Rights of the Child) and CCPR/CO/74/SWE/Add.1 (supplementary report to the UN Committee for Human Rights) respectively. Sweden's most recent report to the UN Committee against Torture has recently been presented and has not yet received any document designation.

[5] UN document CCPR/CO/74/SWE (concluding observations from the UN Human Rights Committee), CAT/C/XXVIII.CONCL.1 (concluding observations from the UN Committee against Torture), CERD/C/64/CO/8 (concluding observations from the UN Committee against Race Discrimination) and CRC/C/15/Add.248 (concluding observations from the UN Committee for the Rights of the Child) respectively).

[6] UN document CCPR/C/75/D/1055/2002.

[7] UN documents CAT/C/30/D/216/2002, CAT/C/33/D/218/2002, CAT/C/32/D/229/2003 CAT/C/32/D/243/2004, CAT/C/35/D/250/2004.

[8] UN documents CAT/C/28/D/164/2000, CAT/C/28/D/179/2001, CAT/C/32/D/196/2002, CAT/C/31/D/199/2002, CAT/C/29/D/204/2002, CAT/C/31/D/213/2002,

violation of the Convention if Sweden expulsed the complainant and in one case, the case of two Egyptians who had been expulsed, the Committee considered that an expulsion that had already taken place constituted a violation of the Convention.[9]

The UN Committee on the Elimination of Racial Discrimination has not dealt with any individual complaint against Sweden since 2002.

The UN Special Rapporteur for the Right to the Highest Attainable Standard of Health visited Sweden in January 2006. The reporter's report with conclusions on Sweden's implementation of this right will be published during autumn 2006.

3.2.3 ILO – Sweden's reports and complaints concerning the application of ILO conventions on the right to collective bargaining

According to Article 22 of the ILO Constitution, member states who have acceded to a convention shall agree to make a report to the International Labour Office on the measures taken to give effect to the provisions of the Convention. Sweden has ratified the eight ILO conventions, referred to in the ILO declaration on fundamental principles and rights in working life. A report is to be made every other year on these conventions. Thus Sweden has made two reports each on the Forced Labour Convention (no. 29), on the Freedom of Association and Protection of the Right to Organise Convention (no. 87), the Right to Organise and Collective Bargaining Convention (no. 98), the Equal Remuneration Convention (no. 100), the Discrimination (Employment and Occupation) Convention (nr 111) and the Minimum Age Convention for Admission to Employment (no. 138) and one report each on the Abolition of Forced Labour Convention (no. 105) and the Worst Forms of Child Labour Convention (no. 182).[10] These reports include comments on questions and observations from the ILO committee of experts due to previous reports.[11]

In February 2002, the Swedish Trade Union Confederation (LO) and the Confederation of Professional Employees (TCO) jointly submitted a complaint against the Swedish government for violations of the Right to Organise and Collective Bargaining Convention (no. 98) and the Collective Bargaining Convention (no. 154).

CAT/C/31/D/215/2002, CAT/C/33/D/223/2002, CAT/C/31/D/228/2003, CAT/C/34/D/221/2002, CAT/C/34/D/220/2002, CAT/C/35/D/237/2003, CAT/C/35/D/235/2003.

[9] UN documents CAT/C/28/D/185/2001, CAT/C/34/D/233/2003, CAT/C/34/D/226/2003.

[10] Dnr N2002/3660/ARM, N2003/2837/ARM and N2004/3255/ARM.

[11] During 2002 conventions no. 100, no. 111 and no. 138, during 2003 convention no. 138 and during 2004 conventions no. 87, no. 98, no. 100 and no. 111.

3.2.4 The Council of Europe

Judgments of the European Court of Human Rights concerning Sweden

The European Court of Human Rights has pronounced 23 judgments in cases against Sweden since January 2002. Sweden has been found to be in violation of the convention in whole or in part in ten of these cases. These judgments relate to Article 6 on the right to a fair trial, Article 13 on the right to an effective remedy, Article 1 of the first protocol on protection of property, Article 5 on the right to liberty and security and Articles 2 and 3 on the right to life and prohibition against torture.[12]

Sweden has been found not to violate the convention in four cases during the same period.[13] Furthermore, Sweden has reached a friendly settlement with the complainants in eight cases, after which the European Court has struck the cases out of the list. Most of these cases concerned alleged violations of Article 6 of the Convention.[14] In one case, the case was struck out of the list after the complainant had been granted a residence permit in Sweden. Moreover, a large number of decisions have been taken both on taking up and not taking up complaints for consideration on their merits and on striking cases off the list.

Collective complaints against Sweden to the Council of Europe

According to the additional protocol to the European Social Charter, non-governmental organisations may notify through a collective complaint that contracting states have failed to implement the provisions of the Charter. These complaints are considered by a committee of experts, the European Committee for Social Rights. On the basis of the Committee's report, the Committee of Ministers adopts a resolution, in which it can make recommendations to the state in question. The protocol which serves as the basis for this procedure came into force in 1998. In 2002–2003, it was considered whether Sweden had complied with the Charter's requirements for protection for what is known as negative freedom of association after a complaint from the Confederation of Swedish Enterprise.

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[12] Janosevic v. Sweden (23 July 2002), Västberga Taxi Aktiebolag and Vulic v. Sweden (23 July 2002), Salomonsson v. Sweden (12 November 2002), Lundevall v. Sweden (12 November 2002), Allard v. Sweden (24 June 2003), Stockholms försäkrings- och skadeståndsjuridik v. Sweden (16 September 2003), Enhorn v. Sweden (25 January 2005), Miller v. Sweden (8 February 2005), Tibbling v. Sweden (11 October 2005) and Bader et al v. Sweden (18 October 2005).

[13] S.N. v. Sweden (2 July 2002), Döry v. Sweden (12 November 2002), Lagerblom v. Sweden (14 January 2003) and AB Kurt Kellermann v. Sweden (26 October 2004).

[14] Ervin and Olga de Laczay v. Sweden (24 September 2002), Romlin v. Sweden (15 June 2004), Manasson v. Sweden (20 July 2004), Hellborg v. Sweden (14 September 2004), Frödinge Grus & Åkeri AB v. Sweden (14 September 2004), Andersson et al. v. Sweden (14 October 2004), Toimi v. Sweden (22 March 2005) and Jonasson v. Sweden (12 July 2005).

Sweden's reports to the Council of Europe and the Council of Europe's reports concerning Sweden

Since January 2002, Sweden has presented its second, third, fourth and fifth report on implementation of the (revised) European Social Charter and its second report on implementation of the Council of Europe Charter for Regional or Minority Languages.[15] The Council of Europe has submitted the following reports and comments on Sweden:

- Opinion on Sweden's first report on the Council of Europe Framework Convention for the Protection of National Minorities (2002).[16] On the basis of this report, the Committee of Ministers has adopted a resolution with recommendations to Sweden,[17]
- Report on Sweden's application of the Council of Europe Charter for Regional or Minority Languages (2003),[18]
- The Council of Europe European Committee on Social Rights, conclusions on Sweden's implementation of the European Social Charter, 2002, 2003, 2004 and 2005 respectively,[19]
- The Council of Europe's Commissioner for Human Rights, report from a visit to Sweden (2004),[20]
- The Council of Europe European Commission against Racism and Intolerance (ECRI), second and third reports on Sweden (2002 and 2004 respectively,[21]) and
- The Council of Europe's Committee for the Prevention of Torture (CPT), report from a visit to Sweden (2004).[22] Sweden's reply to the Committee has been made in a separate report.[23]

The full text of the reports is available on the Government's human rights website, www.humanrights.gov.se.

3.2.5 Points of view put forward relating to matters concerning Sweden's international obligations

General issues

On a number of occasions, international bodies have expressed concern regarding the fact that international conventions on human rights, with the exception of the European Convention on Human Rights, are not

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[15] Second, Third, Fourth and Fifth Report respectively submitted by the Government of Sweden in accordance with Article 21 of the Revised European Social Charter and the Swedish Report on the Council of Europe Charter for Regional or Minority Languages, Second Periodical Report.
[16] Council of Europe, Advisory Committee on the Framework Convention for the Protection of NationalMinorities, document ACF/INF/OP/I (2003)006.
[17] Council of Europe, Resolution CMN(2003)12.
[18] Council of Europe, European Charter for Regional or Minority Languages, Application of the Charter in Sweden, document ECMRL (2003) 1.
[19] Council of Europe, European Social Charter (Revised) European Committee on Social Rights, Conclusions 2002, 2003, 2004 and 2005 respectively.
[20] Council of Europe, document CommDH (2004) 13.
[21] Council of Europe, document CRI (2003) 7, CRI (2005) 26.
[22] Council of Europe, document CPT/Inf (2004) 32.
[23] Council of Europe, document CPT/Inf (2004) 33.

directly applicable by Swedish courts and administrative agencies.[24] In the course of this survey, representatives of the reference groups such as Lawyers without Borders (Sweden), the Raoul Wallenberg Institute, the Swedish section of the International Commission of Jurists and the Swedish Helsinki Committee for Human Rights, have put forward the view that Sweden should incorporate central human rights conventions, such as the UN Convention for Civil and Political Rights. The Department of Law at Stockholm University has declared that international conventions on human rights should have a clearer status in the Swedish judicial system in order to be able to provide in concrete case the protection intended at the level of international law, for example, through the conventions being incorporated or through a statutory obligation to take the conventions into account. Furthermore, it has been proposed in the evaluation as well as by a couple of representatives of the reference groups, including the Raoul Wallenberg Institute, that the Government should clearly indicate that the conventions on human rights that Sweden has ratified are binding on the exercise of authority and justice in Sweden.

In this context, it should be explained that Sweden has a dualistic approach to its international agreements, which means that conventions that Sweden ratifies do not automatically become part of the national law. There are two main methods for giving legal effect to international agreements in Swedish law: incorporation and transformation. Incorporation means that it is stated in a law or other statutory provision that the provisions of the convention apply directly in Sweden. The application of the law is then based on the authentic text of the convention. Transformation means either that the text is translated into Swedish and then included in a Swedish statute or that the agreement is reworked into a Swedish statute. Transformation is the method most often used in Sweden. Before Sweden ratifies a convention, a review is made of Swedish law to see the extent to which Swedish law complies with the requirements of the convention. When necessary, Swedish legislation is amended to enable the convention in question to be ratified.

However, the European Convention on Human Rights is an exception from the tradition of applying transformation, since it was incorporated into Swedish law in 1995 and the text of the convention thus applies as Swedish law. In the Government Bill on Incorporation of the European Convention (Government Bill. 1993/94:117), it was stated that the European Convention has a special position in relation to other conventions on human rights through the application of the European Convention being based on an explicit legal basis with consideration of individual complaints by a court. Through the continuous case law of the convention bodies, the provisions of the convention have been made more exact in a way that differs from other conventions.

Conventions not ratified by Sweden

There is a great interest on the part of civil society in the Government's position in relation to international agreements on human rights. It is

[24] See, for example, UN documents CCPR/CO/74/SWE and E/C.12/1Add.70.

emphasised in the first national action plan for human rights that the Government's position in relation to new agreements on human rights should be clear and be regularly reviewed. The evaluator has also put forward the view that the reasons for Sweden's position of refraining from signing and ratifying certain international agreements on human rights has not been presented in a convincing way. A number of reference groups have also recommended that Sweden ratifies certain conventions and supplementary protocols.

In its most recent report on Sweden, the Council of Europe Commission against Racism and Intolerance (ECRI) recommended that Sweden ratify protocol 12 to the European Convention on Human Rights on a general prohibition against discrimination.[25] During this survey work, among others, The Children's Ombudsman, the Ombudsman against Discrimination on Grounds of Sexual Orientation, the Swedish Helsinki Committee and the Centre for Equal Rights have put forward the same point of view.

In January 2005, the UN Committee on the Rights of the Child commented on Sweden's third report on implementation of the Convention on the Rights of the Child. In its concluding observations, the Committee urged Sweden to ratify the optional protocol to the Convention on the Rights of Child concerning sale of children, child prostitution and child pornography.[26]

As described in more detail in section 3.3.2, the point of view has been put forward by a number of instances that Sweden should ratify ILO Convention (no. 169) concerning Indigenous and Tribal Peoples in Independent Countries. This point of view has also been put forward during the work of surveying a number of organisations such as the Church of Sweden, the Swedish Section of Amnesty International, Lawyers without Frontiers and the Swedish Helsinki Committee for Human Rights. Reference is made in the evaluation of the first action plan to existing expectations that Sweden will make a decision to this effect.

A number of representatives of the reference groups, including the Church of Sweden, have stated during the survey work that Sweden should ratify the UN Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

Swedish reservations on human rights conventions

The point of view was expressed in the evaluation of the first action plan that it is positive that the Government wishes in principle to avoid reservations to international treaties and that it is important that a regular review is made of reservations already made with a view to considering whether they can be withdrawn. The evaluator has also stated that it is important that the Riksdag (Parliament) is kept informed about this work.

Representatives of the reference groups, including the Swedish Section of the International Commission of Jurists, have also stated during the survey work that Sweden's reservations to conventions on human rights

[25] Council of Europe, document CRI (2005) 26.
[26] UN documents CRC/C/15/Add.248 and CRC/C/15/Add.101.

should be reviewed at regular intervals. The International Commission of Jurists also considers that Sweden, as a country with a high level of ambition in the sphere of human rights, should avoid reservations to the greatest possible extent.

Sweden's reservations to more important international conventions on human rights and the reasons for these reservations are presented in a special appendix to the original version of the Communication, although not in this summary. This information is available in Swedish on the Government's website on human rights, www.humanrights.gov.se

Dissemination and follow-up of observations of international bodies

In the evaluation of the first action plan, it is stated that a number of NGOs, in connection with the evaluation, have stressed the need for a greater dissemination of the observations of the monitoring committees that examine Sweden's compliance with international conventions on human rights, as well as a more systematic debate on the committees' comments and recommendations. Some organisations would like to see the Riksdag (Parliament) have a more active role in this. Another problem that came up during the consultations of the evaluator was that information to the government agencies on the points of view and recommendations of the monitoring committees has not always worked satisfactorily.

During work with the survey as well, a number of representatives of the reference groups have stated that points of view and recommendations from international bodies on Sweden's compliance with conventions on human rights are not disseminated sufficiently among, for instance, agencies and local authorities. Lawyers without Borders have stated in a written statement that criticism made against Sweden on the compliance with international human rights obligations should be spread better and that the Government should report to the Riksdag on the measures that it intends to take due to such criticism. The Swedish section of the International Committee of Jurists has also proposed that criticism made against Sweden by international bodies should be followed up better.

3.3 Sweden's international human rights obligations – extract from the action plan

3.3.1 General issues

There are clear links between Sweden's work to promote human rights in international contexts and the work of making rights a reality at the national level. In the national work on human rights, knowledge needs to be continually obtained about developments at the international level. It is also important that Sweden in its international work for human rights can contribute with knowledge and experiences from the work at the national level. Furthermore, Sweden can show that it takes human rights very seriously by thorough work at the national level.

In order for the Government's work for human rights at both the national and international level to be credible, Sweden's attitude and work on human rights also needs to be pursued consistently and characterised by a common approach between the international and the national level.

3.3.2 New conventions and conventions not ratified by Sweden, etc.

A new UN convention for the human rights of persons with disabilities

Measure 1: During 2006, the Government intends to give priority to work on a UN convention on the rights of persons with disabilities

Human rights apply to all persons. At the same time, it is a fact that persons with disabilities often encounter difficulties in their exercise of human rights.

The issue of the enjoyment of human rights by persons with disabilities has been taken up on a number of occasions in the UN Commission for Human Rights but did not make a real breakthrough until the end of the 1990s. In December 2003, the UN General Assembly decided that a new convention for the human rights of persons with disabilities would be drawn up. Work is currently in process in an ad-hoc committee appointed by the General Assembly.

Through this convention, a legally-binding instrument will be created, which will provide increased impact for work on improving the opportunities of person with disabilities to enjoy their human rights. The goal is a society which guarantees human rights and enables person with disabilities to participate in all areas of society on the same terms as other people. The intention is not to create new human rights but to specify the necessary measures so that persons with disabilities can enjoy the human rights that already exist. The convention should be drafted in such a way that it can be applied in all UN member countries. The guiding principles for the work on the convention are autonomy, non-discrimination, participation, equal opportunities, accessibility, consideration to variation between persons with disabilities, equality between women and men and the perspective of the child.

The very process of preparing a convention makes persons with disabilities visible in a wholly different way than before. The work in ad-hoc committees has also been unique as regards participation in organisations of the disabled and other NGOs. During 2006, the Government intends to give priority to work on a UN convention on the human rights of disabled persons. This work is now in its final phase.

The Government considers that it is also important that work on developing the UN's standard rules continues, as well as the work on strengthening the perspective of disability in the application of existing conventions on human rights.

Measures to ensure the effectiveness of the European Convention's monitoring system

Measure 2: With a view to ensuring the long-term effectiveness of the monitoring mechanism of the European Convention on Human Rights, a protocol amending the convention and five recommendations have been adopted by the Council of Europe. The Government intends during the period 2006–2009 to continue the national work for the recommendations to have an impact.

The growing number of member countries of the Council of Europe and an increasing awareness among the public about the European Convention on Human Rights have led to a large increase in the number of complaints to the European Court of Human Rights. A work of reform has been in process for a number of years within the Council of Europe to ensure that the monitoring system of the European Convention can function effectively in the long term. The first phase of this work was concluded in spring 2004 when the Council of Europe's Committee of Ministers adopted a reform package consisting of several parts.

As part of this reform, protocol 14 to the European Convention was adopted in May 2004, which aims at rationalising various aspects of the work of the European Court of Human Rights. The protocol does not affect the rights of the individual according to the convention. It refers instead to procedural changes relating to the European Court of Human Rights, including changes in the court's quorum rules. As an example may be mentioned that, according to the new protocol, three judges, instead of the present seven, will be required to judge more routine cases. A new requirement is being introduced for a case to be heard on its merits. Furthermore, it will be possible for the Committee of Ministers to institute proceedings at the European Court against a state for insufficient compliance with a previous court judgment. In a political declaration, the member countries have been urged to take the measures required to enable the protocol to be introduced within two years from its adoption. Sweden ratified the protocol in November 2005.

Five recommendations have also been adopted concerning a number of measures that the member countries are urged to undertake at the national level. These recommendations concern the following:

- rehearing and reconsideration of cases at the national level as a result of a judgment from the European Court of Human Rights,
- education on the European Convention within the framework of university courses, among others,
- publication and dissemination of the convention text and the case law of the European Court of Human Rights in the member states,
- examination of, inter alia, the compliance of proposed constitutional amendments with the European Convention, and
- improvement of domestic legal remedies, i.e. improved possibilities for individuals to resolve disputes relating to the European Convention at the national level.

In the light of the fact that the future functioning of the European Court of Human Rights can only be ensured if the European Convention has a thorough impact at the national level, the implementation of these

recommendations in all member countries is an important part of the work to achieve the objectives of the reform. The Government intends to continue the national work during the period 2006–2009 in order for the recommendations to have an impact.

At the Council of Europe's summit meeting in May 2005, it was decided to appoint a special group with the task of preparing proposals for further measures to ensure the long-term effectiveness of the monitoring system. During the period 2006–2009, Sweden will monitor the work of the group and take a position on the proposals and recommendations presented.

Regular review of conventions and supplementary protocols that Sweden has not ratified

Measure 3: During the period 2006–2009, the Government intends to review the extent to which further conventions and supplementary protocols that concern human rights can be signed and ratified and to report its point of view at the latest in the next national action plan for human rights.

In the first national action plan for human rights, the Government expressed its intention to review the extent to which additional conventions on human rights and supplementary protocols to such conventions could be signed. The Government's point of view in relation to a number of international agreements on human rights which Sweden has not ratified were also presented in the action plan.

The evaluator of the first national action plan for human rights has put forward the point of view that the reasons of Sweden's position to refrain from signature and ratification of certain international agreements on human rights have not been presented in a convincing way. A number of reference groups have recommended ratification of, inter alia, the conventions and supplementary protocols taken up below.

The Government's view is that positions on these matters should be reported openly and in detail. The Swedish position in relation to conventions and supplementary protocols that Sweden has not acceded to has been reviewed during the period of implementation of the first action plan for human rights. The Government's current standpoint is presented below.

During the period of validity of the current action plan, a review will be undertaken of the possibilities for signing and ratifying additional conventions and supplementary protocols on human rights. The result of the new review will be reported at the latest in connection with the presentation of the next national action plan for human rights.

Protocol 12 to the European Convention on a general prohibition against discrimination

Measure 4: The Government intends during the period 2006–2009 to review its position on an accession to protocol 12 to the European Convention on Human Rights regarding a general prohibition against

discrimination, although it does not intend to accede to the protocol in the current situation.

Sweden has not signed or ratified Protocol 12 to the European Convention on Human Rights regarding a general prohibition against discrimination. The protocol came into force on 1 April 2005. The right to discrimination has a key place in Swedish policy. However, the Government does not intend to sign and ratify the protocol in the present situation mainly for the following reasons.

The wording of the protocol is very general. It is intended to prohibit discrimination within all areas of society and on all grounds of discrimination. In addition to the grounds for discrimination covered by the Swedish laws (at present, sex, ethnic affiliation, religion or other belief, disability or sexual orientation), a number of other grounds are covered by Protocol 12, such as language, political or other opinion, national or social origin, property, birth or other status. The list of grounds for discrimination is only intended as examples so that additional grounds may come into question. These grounds for discrimination are also covered by Article 14 of the Convention, which is binding on Sweden. However, the prohibition against discrimination provided for in Article 14 only refers to the rights protected by the Convention, while Protocol 12 covers all rights set forth by law and the activities of public authorities in general.

Since the protocol is so generally worded and has such a broad field of application, it is not possible to draw any certain conclusions about the extent and content of the prohibition against discrimination before it has been clarified by the case law of the European Court of Human Rights how the provisions of the protocol are to be interpreted. Among other things, it is unclear to what extent positive measures taken in order to promote full and effective equality are permitted. Furthermore, it is unclear what responsibility the state has for discrimination in relations between private actors, in addition to the obligation to legislate against discrimination. The Government’s view is that Sweden should accede to conventions and other international instruments only when it has been clarified that the new obligations can be complied with.

It is evident that it will take several years before the European Court of Human Rights has decided on a sufficient number of complaints to enable case law to provide a clear picture of the extent and content of the protocol. When there is sufficient case law, a systematic review will have to be made of the consequences of the protocol. In this context, it should also be taken into account that the protection against discrimination in Swedish legislation will successively cover an increasing number of areas. This work of reform is still in process. Among other things, the Discrimination Committee has recently presented its report. Furthermore, legal developments within the EU may be important for the protection against discrimination in the member states.

The Government intends to again review its position on Protocol 12 and report its attitude at the latest in the next national action plan for human rights.

The UN Convention on the Protection of the Rights of Migrant Workers

Measure 5: The Government does not at present intend to ratify the UN Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

The UN Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families came into force on 1 July 2003. The protection provided for in the Convention substantially complies with the six other central UN conventions on human rights and on the ILO conventions. This has also been pointed out in the report presented by the Global Commission on International Migration (GCIM) presented in October 2005 (*Migration in an interconnected world: New directions for action).* In this report, it was also noted that only 30 states have ratified the Convention and that a number of states have declared that they do not intend to do so. In the light of this, GCIM considers that other methods are needed to protect the rights of migrant workers. States must fully respect the conventions that they are already obliged to comply with and ensure that migrant workers enjoy their human rights according to these conventions without discrimination.

For these reasons, among others, the Government considers that the work of protecting the rights of migrant workers in Sweden should be concentrated on ensuring compliance with the other six central UN conventions. The question of ratification of the Convention is therefore not of current interest but will be reconsidered as necessary in connection with the drafting of the next national action plan on human rights.

The optional protocol on the Convention on the Rights of the Child relating to sale of children, child prostitution and child pornography

Measure 6: During autumn 2005, the Government presented a Bill to the Riksdag (Parliament) on ratification of the optional protocol to the Convention of the Child on sale of children, child prostitution and child pornography.

Two optional protocols to the UN Convention on the Rights of the Child have come into force since the first national action plan for human rights was presented in 2002. One protocol deals with rights for children who are involved in armed conflicts. This protocol came into force in February 2002 and was ratified by Sweden in February 2003.

The other protocol is intended to counteract trafficking with children, child prostitution and child pornography and makes demands for such actions to be made criminal actions and punished by the States Parties. This protocol came into force in January 2002. In a Bill recently presented to the Riksdag, (Government Bill 2005/06:68), the Government proposes that the Riksdag approve the protocol.

See also: Measure 41.

3.3.3 Review of reservations

Measure 7: During the period 2006–2009, the Government intends to review the reservations made to various conventions and protocols on human rights with a view to seeing whether they can be withdrawn and to report the result at the latest in connection with the next national action plan for human rights.

In its first national action plan for human rights, the Government declared its intention to review the reservations that had been made on various conventions and supplementary protocols on human rights with the intention of considering whether these could be withdrawn. The action plan contained a list of reservations but no presentation of the reasons for the reservations made. In the evaluation of the action plan, the point of view was put forward that a regular review of the Swedish reservations should be carried out and a report made to the Riksdag (Parliament).

The interministerial working group for human rights has coordinated a review of the Swedish reservations to the more important conventions on human rights. The result of this review is that all reservations should be retained for the time being. The reservations and the reasons for these being made are reported in an annex to the original action plan.

The Government intends during 2006–2009 to again review the reservations made to various conventions on human rights with a view to considering whether these can be withdrawn and to report the result of this review at the latest in the next national action plan for human rights.

3.3.4 Follow-up of observations of international bodies

Meetings in connection with Sweden's reporting on conventions on human rights to international bodies

Measure 8: The Government intends to hold meeting in connection with Sweden submitting reports according to the UN conventions on human rights, as well as when the UN committees' concluding observations on these reports are presented. When deemed appropriate, similar meetings will also be arranged in connection with reports being made in accordance with the Council of Europe's conventions on human rights.

Like other States Parties, Sweden reports to a number of international bodies on compliance with conventions on human rights at the national level. In the first national action plan for human rights, the Government expressed its intention to carefully follow up criticism against Sweden concerning international human rights obligations. A number of international bodies which examine compliance of conventions on human rights recommend the states to involve different actors in this work of reporting. It has also been stated in the evaluation of the first action plan that it is important that points of view are gathered from

different actors in connection with Sweden reporting on conventions on human rights to international bodies. Furthermore, both the evaluator and a number of reference groups have said that the points of view received by Sweden should be distributed better to agencies, municipalities and county councils, among others.

The Government shares the assessment that it is important that representatives of different parts of society take part in the collection of material to Sweden's reports to international organisations and in the work of following up the observations that Sweden receives. The Government therefore intends to invite representatives from various parts of the community to meetings in connection with Sweden's reporting to the United Nations on compliance with conventions on human rights and when Sweden receives observations from the monitoring committees. When the Government considers it appropriate, meetings will also be arranged when reporting to the Council of Europe. In connection with reports concerning the European Social Charter, there is a permanent established consultation procedure with the social partners.

In this context, it should be pointed out that there has been an established consultation procedure for a long time within the framework of Sweden's reports to the International Labour Organisation (ILO). As a rule, the Ministry of Enterprise, Energy and Communications commissions the ILO Committee to prepare reports on the application of the ratified ILO conventions in Sweden. The proposed reports drafted by the Swedish ILO Committee are always presented to the social partners , i.e. the organisations represented in the ILO Committee. When relevant, opinions are also obtained from the trade unions and employers' organisations concerned. The Opinions of the trade unions and employers' organisations are passed on to the ILO, either integrated into the report itself or as an appendix to the report. When the reporting procedure has been concluded, a copy of the final version of all reports is sent to the trade unions and employers' organisations. These reports will be reviewed by independent lawyers in the ILO Committee of Experts which will draft a report to the International Labour Conference. The Committee of Experts will also address written observations and "direct requests" to the governments which are to be answered in connection with the following report for the respective convention. When the comments of the Committee of Experts have been received by the Ministry of Enterprise, Energy and Communications, they will be forwarded to the agencies concerned and the social partners so that they can be taken into consideration in good time before the next reporting on the respective convention.

See also: Measure no. 38.

4 Rights issues

4.1 Discrimination, racism and homophobia

4.1.1 Introduction

The prohibition against discrimination is a central part of the international conventions on human rights. The struggle to prevent and counteract discrimination and intolerance, e.g. racism and homophobia, aims to defend the principle that all people are of equal dignity and have the right to be treated as individuals on equal terms. The task of strengthening the protection against discrimination and intolerance has been and continues to be carried out through a number of different measures and within different parts of society. In spite of this, people still suffer abuses of this kind in Swedish society today. This, of course, is unacceptable and the fight to counter these occurrences is therefore an issue that is given very high priority by the Government.

The Government believes that protection against discrimination should in principle be the same for the various forms of discrimination on the basis of gender, ethnic origin, religion or other belief, functional disability and sexual orientation. These issues are therefore dealt with collectively as much as possible in this action plan for human rights. It is important to note in all work against discrimination that the same person can be discriminated against on several grounds. Different requirements and life conditions for women and men should be taken into account in the work against discrimination on the basis of ethnic origin, religion or other belief, sexual orientation and disability. A ban against discrimination on the basis of age and sexual identity will be dealt with in conjunction with the preparation of the Discrimination Committee's proposals and will therefore be only briefly touched upon.

Discrimination manifests itself in a number of areas of society. To emphasise the fact that discrimination stands in conflict with the realisation of a number of human rights, those measures which aim to counteract discrimination in the enjoyment of the economic and social rights to work, housing, health and education are taken up in the sections of the original action plan that deal with these rights. This is to stress the fact that the Government believes these rights are of fundamental importance. The views on discrimination expressed by international bodies, the evaluator of the first action plan and the reference groups are described in the survey of the situation on human rights in Sweden which comprises Part II of the original version of the document. This summary only presents the measures announced in the action plan.

4.1.2 Measures against discrimination on the grounds of gender, ethnic origin, religion or other belief, sexual orientation or disability

Measure 9: The Working Committee on Constitutional Reform has the task of carrying out an overall review of the constitution. The task includes the examination of issues relating to judicial review and of whether there is a need for a constitutional court. Should the committee find grounds for proposing changes in these respects, it shall not be prevented from also examining whether there is also a need to recommend changes in the protection of fundamental rights and liberties. The committee is to produce its report on this assignment no later than 31 December 2008.

Measure 10: The Discrimination Committee, which had the task of considering joint legislation against discrimination, recently delivered its final report on this assignment. The Government intends to prepare proposals geared towards the introduction of new legislation to come into effect no later than 2008.

Measure 11: The Government intends to commission certain government agencies in 2006 to produce anti-discrimination strategies. These agencies are to invite the Ombudsman against Ethnic Discrimination, the Ombudsman against Discrimination because of Sexual Orientation and the Swedish Agency for Disability Policy Coordination (Handisam) to consultations over the creation of the strategies. The Government intends to commission the Swedish Agency for Administrative Development to evaluate the measures that have been carried out in connection with the anti-discrimination strategies devised within central government agencies. The Government also intends in 2006 to clarify the need for anti-discrimination work in the state-owned companies.

Measure 12: The Government intends during 2006 to decide on an ordinance whereby certain larger government agencies will have to introduce anti-discrimination conditions in their procurement documents.

Measure 13: The Government will consider the proposals from the committee relating to stronger and clearer supervision within the social services, which is due to submit a final report to the Government no later than 30 June 2006, and to take appropriate measures against the background of the committee's proposal to withdraw permits to sell alcohol in cases of repeated discrimination.

Measure 14: The collaboration between the anti-discrimination offices, the Equal Opportunities Ombudsman, the Ombudsman against Ethnic Discrimination, the Disability Ombudsman and the Ombudsman against Discrimination on Grounds of Sexual Orientation will be developed during 2006.

Measure 15: The Government intends to appoint a committee of inquiry into the use of what are known as discrimination tests as means of proof in cases handled by the Equal Opportunities Ombudsman, the Ombudsman against Ethnic Discrimination, the Disability Ombudsman and the Ombudsman against Discrimination on Grounds of Sexual Orientation.

See also: Measures 46, 50, 54, 55, 57, 58, 62 and 96.

4.1.3 Measures against discrimination on the basis of gender

Measure 16: The Government intends to commission the Swedish Work Environment Authority and the Equal Opportunities Ombudsman to evaluate and continue the collaboration over competence issues introduced by both agencies.

See also: Measures 47, 48 and 60.

4.1.4 Measures against discrimination on the basis of ethnic origin, religion or other belief

Measure 17: The Ombudsman against Ethnic Discrimination will implement and arrange the evaluation of information measures geared towards groups that are particularly vulnerable to discrimination on the basis of ethnic origin or religion or other belief.

Measure 18: The Government is intending to consider the need to use discrimination tests in a number of areas of society based on the conclusions to be presented in a study of the labour market.

Measure 19: The Government will consider appropriate measures in relation to the proposals submitted by the Committee on Structural Discrimination on Grounds of Ethnicity or Religion. The Committee of Inquiry into power, integration and structural discrimination is to submit its final report no later than 30 June 2006. The Government will also consider suitable measures in connection with future proposals from this committee.

See also: Measures 37 and 45.

4.1.5 Measures against discrimination on the basis of sexual orientation and other issues of equal rights and opportunities irrespective of sexual orientation

Measure 20: The Government intends to set up a working group with the task of submitting proposals that entail a coherent approach to issues

relating to equal rights and opportunities irrespective of sexual orientation. The working group will also have the task of considering how the occurrence and scale of discrimination based on sexual orientation can be measured and if possible submit proposals for indicators within different areas of society.

Measure 21: A special investigator has been given the task of deciding whether same-sex couples should be allowed to marry. A report on this task is to be submitted no later than 30 March 2007. The Government then intends to consider possible measures against the background of the proposals from the commission of inquiry.

4.1.6 Measures against discrimination on the basis of disabilities and other issues concerning the rights of persons with disabilities

Measure 22: The Government intends during spring 2006 to submit a report on the follow-up of the national action plan for disability policy.

Measure 23: The Government has established a new agency charged with the task of coordinating disability policy. This agency started its work on 1 January 2006. The Disability Ombudsman is given a more independent, scrutinising role.

Measure 24: The Government intends during 2006 to give the Swedish National Council for Crime Prevention the task of surveying the violence against persons with functional disabilities in consultation with the Disability Ombudsman and the Swedish Agency for Disability Policy Coordination (Handisam).

See also: Measures 49, 56, 61, 66, 88, 95, 128 and 130.

4.1.7 Measures against racism and homophobia

Measure 25: The Government has facilitated the establishment of a centre against racism in order to strengthen and complement society's measures against racism, xenophobia, homophobia and discrimination. The activity within the Centre against Racism is being evaluated by the Swedish Integration Board in 2006. The Swedish Integration Board will present an analysis of the state and development of racism and hostility towards foreigners in 2007. Against the background of the Swedish Integration Board's evaluation and analysis the Government will consider appropriate measures.

Measure 26: The Living History Forum is developing the work against anti-Semitism, Islamophobia and homophobia and is carrying out in-depth studies in relation to these issues.

Measure 27: The Government intends during 2006 to follow up the National Council for Crime Prevention's report entitled *Hate crimes. A follow-up of justice system measures* from 2002.

Measure 28: The National Council for Crime Prevention (Brå) has been given the task, starting from 2006, of reporting annual statistics on hate crimes. These statistics, together with the information earlier recorded by the Swedish Security Service (Säpo), will also include statistics on crimes involving elements of Islamophobia.

4.2 The rights of the child

4.2.1 Introduction

It is now seven years since a unanimous Riksdag (Parliament) approved the Government's strategy for implementing the UN Convention on the Rights of the Child in Sweden (Government Bill 1997/98:182). The strategy forms the starting-point for the child policy and aims to reflect the spirit and intentions of the UN Convention on the Rights of the Child in all decisions and activities relating to girls and boys up to the age of 18.

The child policy aims at a strategic level to initiate, drive forward and coordinate processes with the purpose of ensuring that the rights expressed in the UN Convention on the Rights of the Child shall permeate all aspects of government policy. The policy should have an impact at all levels of society and in all activities where children and young people are affected. It is a long-term, continuous process which requires measures within different activities and at different levels of society.

In the communication entitled *Development of the National Strategy to Implement the UN Convention on the Rights of the Child* (skr. 2003/04:47) the Government has further developed the national strategy and announced a number of measures which it considers necessary for further improving the strategic work related to the rights of the child in Sweden.

The views relating to issues of child rights put forward by international bodies, the investigator of the first action plan for human rights and by the reference groups are described in more detail in the original survey of the situation for human rights in Sweden.

4.2.2 Measures

Measure 29: The Government intends to follow up the work carried out at institutions of higher education to incorporate the UN Convention on the Rights of the Child in relevant training courses. It also plans during 2006 to implement regional conferences to support the work on the Convention on the Rights of the Child carried out by academic institutions.

Measure 30: The Government intends during 2006 to establish a centre for the rights of the child which can function through such things as method and competence development and exchange of experience as a support in the work of implementing the UN Convention on the Rights of the Child.

Measure 31: The Government has granted Unicef Sweden funds for the task of producing a handbook on the implementation of the UN Convention on the Rights of the Child. The project is expected to be completed at the end of 2006.

Measure 32: The Government has initiated a project for developing indicators to calculate the effects of measures carried out to implement the UN Convention on the Rights of the Child and follow up the child policy. The project is expected to be completed during 2006.

Measure 33: The Government Offices is to continue its collaboration with the municipal partnership and with the county council network for the UN Convention on the Rights of the Child.

Measure 34: During 2005 the Government initiated Barnrättsforum (Children's Rights Forum), a forum for a more permanent dialogue and exchange of experience with NGOs concerning the implementation of the UN Convention on the Rights of the Child. The Government intends to continue this dialogue during the period 2006–2009.

Measure 35: Since 2001 the Government has been conducting a dialogue with children and young people on child rights issues through the child reference group of the Minister of Health and Social Affairs. The Government intends to continue this dialogue during the period 2006–2009.

4.3 National minorities and indigenous peoples

4.3.1 Introduction

This section includes extracts from the original version, both the base-line study and the action plan, in order to show how this looks, e.g. with respect to the reporting of viewpoints in the study. The section relating to the Sami has, however, been shortened so that only the measures themselves are included.

4.3.2 National minorities – extracts from the survey

A number of international documents deal with national, ethnic, religious or linguistic minorities. According to Article 27 of the UN Covenant on Civil and Political Rights, persons belonging to ethnic, religious or linguistic minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and

practise their own religion, or to use their own language. The Council of Europe's Framework Convention for the Protection of National Minorities (the Framework Convention) and the Council of Europe's European Charter for Regional or Minority Languages (Minority Language Convention) have developed the protection for people who belong to national minorities. According to Chapter 1, article 2, of the Swedish Instrument of Government, opportunities should be promoted for ethnic, linguistic and religious minorities to preserve and develop a cultural life of their own.

Since 2000, minority policy has been a policy area of its own based on the decision of the Riksdag (Parliament) decision in autumn 1999 relating to measures for national minorities.[27] The purpose of minority policy is to provide protection for the national minorities, to strengthen their opportunities for influence and to support their historical minority languages so that they survive. The national minorities are the Sami, who are also an indigenous people, Swedish Finns, Tornedalers, Roma and Jews. The languages included in the minority policy are Sami (all varieties), Finnish, Meänkieli (Tornedal Finnish), Romany Chib (all varieties) and Yiddish.

In February 2000, in conjunction with the decision concerning a minority policy, Sweden ratified the Framework Convention and the Minority Language Convention. The provisions in these conventions form the basis for the Swedish policy in this area.

In April 2000, what are known as the minority language laws came into effect.[28] These laws entitle individuals when in contact with administrative agencies and courts of law to use Sami, Finnish and Meänkieli. These laws apply in certain municipalities in Norrbotten, which represent the administrative areas for the Sami, Finnish and Meänkieli communities.

The views of international bodies

The Council of Europe monitors Sweden's implementation of both conventions in the sphere of minorities. The Council of Europe's advisory committee on the application of the Framework Convention reported the result of its review of Sweden's implementation of the Framework Convention in a report in August 2002.[29] The Council of Europe's Committee of Ministers then passed a resolution in December 2003 with certain conclusions and recommendations.[30]

The Council of Europe's Committee of Ministers took a positive view with regard to the resolution over the fact that in recent years Sweden has started to produce a legal framework to protect national minorities. This positive development primarily involves the seven municipalities in northern Sweden where new minority language legislation applies. The Committee of Ministers pointed out that there is still a need to expand the scale of the legislation protecting national minorities. The Committee of

[27] Government Bill. 1998/99:143, bet. 1999/2000:KU6, rskr. 1999/2000:69.
[28] SFS 1999:1175 and 1176.
[29] Council of Europe, document ACFC/INF/OP/I(2003)/006.
[30] Council of Europe, Resolution ResCMN(2003)12.

Ministers also felt that more consistent practical attention needed to be given to the principles of the Framework Convention. The wide-ranging decentralisation in respect of many of the basic issues in the implementation of the Framework Convention means that the local authorities have the main responsibility for supervising and dealing with related problems. According to the Committee, the deficient implementation of the principles of the Framework Convention at local level is particularly evident in respect of support for education in the national minority languages, but there are also deficiencies in other areas, such as the media, where there needs to be better support for initiatives from people belonging to national minorities.

As regards the recently improved legislation relating to discrimination on (among others) ethnic grounds, the Committee of Ministers felt that it is important to follow this up, especially bearing in mind the discrimination that affects certain minority groups, particularly the Roma, over for such things as housing and work.

The Committee of Ministers also felt that the Swedish government agencies should continue to develop forms of consultation to help people from national minorities to make a greater contribution to decisions that affect them.

The Council of Europe's expert committee on the application of the minority language convention reported the results of its review of Sweden in 2003.[31] The Council of Europe's Committee of Ministers then decided on recommendations to Sweden in June 2003.[32] The Committee of Ministers recommended to Swedish authorities that, among other things, they take immediate measures to make teaching in regional or minority languages more accessible, produce teaching materials and improve teacher training at all levels.

The Council of Europe's Commission against Racism and Intolerance (ECRI) visited Sweden for the third time in 2004 in order to analyse the situation with regard to racism and intolerance. In its report of the visit the ECRI expressed its views relating to the situation for national minorities.[33] Among other things, it urged Sweden to ensure that the right of national minorities to mother-tongue teaching was a practical reality and not simply a theory. The ECRI also recommended follow-up to ensure that all schools provide their pupils with education in the culture, language, religion and history of the national minorities in the way stipulated for other curricula. As regards the Roma communities, it recommended that Swedish authorities improve the situation of the Roma groups, implement measures to counter racism and discrimination, and increase the influence of Roma by developing forms of consultation at national, regional and local level.

The Council of Europe's commissioner for human rights stressed in his report of the visit to Sweden in June 2004 that Roma in Sweden are severely affected by prejudices and discrimination, which leads to difficulties in certain areas, e.g. education, work and housing.[34] He also stated that measures are needed to counteract the widespread absence and

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[31] Council of Europe, document ECRML (2003)1.
[32] Council of Europe, Committee of Ministers, Recommendation RecChL(2003)1.
[33] Council of Europe, document CRI (2005)26.
[34] Council of Europe, document COMMDH(2004)13.

early dropout from school that is found among Roma children. He further noted that homelessness among Roma has increased. The difficult situation which Roma in Sweden face must be tackled in a comprehensive way so that all areas of life are covered. The commissioner finally pointed out that it is important to increase the majority population's understanding of Roma culture and traditions.

Follow-up of the Standing Committee on the Constitution of the Riksdag

The Parliamentary Standing Committee on the Constitution has carried out a follow-up of the 1999 Riksdag decision on national minorities and minority languages through, among other things, an evaluation of the measures carried out by Government.[35] Some of the investigators concluded that an analysis needs to be carried out to determine what it would cost if the intentions of the minority policy were to be implemented and that there is a gap between the central and local government levels when it comes to the implementation of the minority policy. Another conclusion is that the state's duty to provide information should be actualised and that each national minority group should be analysed individually in relation to the Framework Convention and the Minority Language Convention.[36]

The national minorities' organisations

The Government is conducting a continuous dialogue with representatives of the national minorities' organisations. Within the framework of this consultation, each minority group has highlighted different priority areas where, according to them, further measures are needed. The five minority groups have all stated that there are substantial flaws when it comes to the educational rights of the national minorities. Many municipalities are not aware of the obligations incumbent upon them to provide mother-tongue teaching in the minority languages. There is also a severe shortage of trained teachers in the minority languages and the choice of teaching materials is very limited.

Representatives from the Roma community have pointed out that there is a serious problem due to the fact that most Roma have a very low level of education. Many do not leave compulsory school with full qualifications, few stay the course of upper secondary education and very few have an academic education. Many adult Roma today have had no compulsory schooling whatsoever. This low level of education means that Roma find it hard to compete on the labour market. Representatives from the national minorities have pointed out that the education offered by schools in respect of the national minorities, their language, history and culture is inadequate and often non-existent, in spite of the fact that

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[35] Åström, *Nationella minoriteter och minoritetsspråk – konstitutionsutskottets uppföljning av 1999 års riksdagsbeslut. Bakgrund, innehåll och resultat.*

[36] Hyltenstam och Milani, *Nationella minoriteter och minoritetsspråk, Uppföljning av Sveriges efterlevnad av Europarådets konventioner på nationell nivå: ett minoritetsspråksperspektiv*, Report for the Standing Committee on the Constitution, December 2004.

school curricula prescribe that such teaching be carried out. The representatives from the national minorities also state that there is a shortage of teaching materials for the national minorities.

The situation for the national minority languages is something that all groups highlight as a problem. Many of the national minority languages have been languages that were mostly spoken at home and not when in contact with the rest of society. During certain periods it was not even allowed to speak anything other than Swedish in school. This means that the national minority languages are now, to varying degrees, under threat. All five national minority groups wish to see greater support for the national minority languages in order to preserve and develop them. This can involve anything from developing dictionaries to producing action plans for the different languages. Many have expressed the need for some kind of language cultivation and planning body for the minority languages.

Information within central and local government activity, and within society as a whole, on the national minorities is sought by all minority groups. Awareness in municipalities and among central government agencies that there are rights in respect of the national minorities and minority languages still appears to be very low. Many representatives from the national minorities encounter ignorance of the fact that there is a minority policy and which the national minorities are. According to the national minorities, therefore, there is a discrepancy in the implementation of the minority policy at local and regional level, which means that it can be difficult for individuals to have their rights provided for when, for example, they are trying to find mother-tongue tuition for their child at school. Another problem is that many who belong to one of the national minority groups do not know what their rights are and cannot therefore safeguard these rights. Here there is a demand for information measures designed to explain to the national minorities the rights that they have.

Since the introduction of the minority policy, the minorities' national organisations have been able on an annual basis to apply for a grant for their activity. All organisations, however, have stated that this grant is not sufficient to run the activity they wish to promote.

Many of the national minority groups have demanded care for the elderly to be provided in the minority language. Representatives from the national minorities have also stressed the importance when caring for the elderly of showing respect to each person's background and culture.

Demands for greater influence over issues that affect the national minorities have been expressed by all minority groups.

Representatives from the Roma organisations have repeatedly stated that discrimination against Roma is a major problem. In November 2001 the Government commissioned the Ombudsman against Ethnic Discrimination to carry out over a two-year period a special project to prevent and counter discrimination against Roma. The report on this assignment was submitted to Government in March 2004 under the title

Diskriminering av romer i Sverige.[37] Since 2005 the Ombudsman has continued to receive commissions of this kind and further economic resources to counteract discrimination against Roma.

The Roma group also wishes to be given more space in different types of media, such as radio, TV and the press. January 2006 saw the publication of a report on an assignment given to a parliamentary commission of inquiry, which had the task of carrying out a review of state subsidies to the daily press and of submitting proposals for how future state involvement in the area of press support should be designed.[38] Among other things, the commission analysed the need for press subsidy to be given to daily newspapers geared towards the national minorities. The commission's thinking included proposals that have a bearing on the opportunities for operational support for daily newspapers in national minority languages.

Views from the reference groups and the evaluator of the first action plan

While carrying out the survey on the human rights situation in Sweden, the Ombudsman against Ethic Discrimination and the Chancellor of Justice drew attention to the fact that Roma in present-day Sweden live in a vulnerable situation. The Swedish National Council for Cultural Affairs has stated that more resources need to be distributed to projects relating to national minority cultures if there is to be a greater effect. In the evaluation of the first action plan for human rights, it was pointed out that discrimination against Roma is widespread and the issue is a complex one, as the report on discrimination against Roma has shown. The evaluation also states that there is currently no institution to which the national minorities can turn in the event that they feel their rights have been violated. If there is a question of discrimination, the person concerned may to a certain extent turn to the Parliamentary Ombudsmen or to the Ombudsman against Ethic Discrimination. However, the evaluation makes it clear that the international obligations go further than this and include what are known as collective rights, and that there is a need for clearer protective legislation.

4.3.3 National minorities – extract from the action plan

Introduction

The views relating to national minorities expressed by international bodies, the national minorities' organisations, the evaluator of the first action plan and the reference groups are described in detail in the extract from the survey of the situation relating to human rights in Sweden (see Section 4.3.1 above). The issues have then been taken up in the action plan in measures 36–44 in the manner described below. The section on

[37] *Diskriminering av romer i Sverige* – Report from the project of the Ombudsman against Ethnic Discrimination in 2002 and 2003 on measures to prevent and counteract discrimination against Roma.
[38] ToR 2004:137.

the Sami has, however, been shortened compared with the text in the original version of the document.

Expansion of language administrative areas

Measure 36: In May 2005, a special investigator presented an interim report to the Government with recommendations concerning an expansion of the language administrative area for Finnish. This interim report has been circulated for comment. In February 2006, the same investigator presented a final report with recommendations relating, inter alia, to the language administrative area for the Sami language. After circulation for comment of the final report during spring 2006, the Government intends to subsequently present proposals to the Riksdag (Parliament) on the two reports.

Since 2000, there has been special minority language legislation that entitles individuals to use Sami, Finnish and Meänkieli in contacts with government agencies and courts (SFS 1999:1175 and 1176). This legislation also provides a right to have pre-schools and care of the elderly wholly or partly in the minority language. The legislation applies in certain municipalities in the county of Norrbotten, known as the administrative areas, where these languages have a long tradition.

In January 2004, a special investigator was commissioned by the Government to analyse whether it was feasible to expand the legislation on the right to use Finnish in contacts with government agencies and courts to apply in the Stockholm- and Mälardal region as well. The investigator has presented an interim report to the Government, which has been circulated for comment. The same investigator has also been commissioned by the Government in a supplementary directive to analyse whether it is feasible to expand the legislation on the right to use Sami in contacts with government agencies and courts to also apply to the southern Sami area. The southern Sami area means the southern parts of the traditional Sami language area which comprises parts of the counties of Norrbotten, Västerbotten, Jämtland and Dalarna. In February 2006, the special investigator submitted a final report. The investigator recommends that both the Finnish and the Sami administrative areas be expanded. The investigator also presents other proposals in the field of minority policy. After referral for comment of the final report during spring 2006, the Government intends to present proposals to the Riksdag on the two reports.

Measures for improving the situation of Roma in Sweden

Measure 37: The Government intends, starting in 2006, to initiate a number of new measures for and with Roma in Sweden. The measures aim to counter discrimination and create understanding among authorities, municipalities and Roma about living conditions for Roma in Sweden and how these living conditions can be improved.

It is clear from the survey of the situation on human rights in Sweden in 2005 that there is inequality between Roma and the rest of the population when it comes to practically all the central areas of life and that Roma as a group are particularly vulnerable to discrimination in Sweden. Through the Council of Europe's Framework Convention on the protection of national minorities, Sweden is obliged to implement appropriate measures to promote full and effective equality between Roma and the majority population in all areas of economic, social, political and cultural life.

Within the framework of government minority policy a number of measures are being taken to improve the situation for Roma in Sweden. For some years, for example, there has been a council for Roma issues, an advisory body which reports to the Government on matters affecting Roma. In addition to this, the Ministry of Justice has set up a working group with Roma women to discuss and highlight the position of Roma women and to give them greater influence. It should also be mentioned that in November 2001 the Government commissioned the Ombudsman against Ethnic Discrimination to carry out over a two-year period a special project to prevent and counter discrimination against Roma. The report on this project was submitted to the Government in March 2004 under the title *Diskriminering av romer i Sverige* (Discrimination against Roma in Sweden). Since 2005 the Ombudsman has continued to receive commissions of this kind and further economic resources to counteract discrimination against Roma.

In spite of the measures that have been initiated in this area, the problems encountered by Roma in Sweden are still widespread. There is a gap between the actual reality for Roma and the human rights which Sweden is obliged through international conventions to fulfil. It is imperative that collective steps be now taken to push forward development and improve the living conditions of Roma in Sweden. For this reason the Government intends to implement a number of measures for and with Roma.

These measures include a problem inventory to be drawn up in consultation with Roma, coordination, the gathering of knowledge and a number of special assignments for central government authorities. The work is to be carried out with active and open cooperation from Roma, through (among others) the council for Roma issues, and based on the obligations to which Sweden is committed through international agreements on human rights.

An example of a measure that has already been put into effect is the commission to the National Agency for Education, which involved an in-depth study of the situation for Roma in the Swedish school system. The commission completed its work in December 2005 and the report is due in February 2007. The Government plans to present other measures within this initiative during 2006.

Greater consultation

Measure 38: The Government intends during the period 2006–2009 to strengthen the consultation for the national minorities. Representatives

from the national minorities will, among other things, continue to be invited to consultation in connection with Sweden's process of reporting to the Council of Europe on the observance of the minority language convention and the Framework Convention.

It is clear from both the Minority Language Convention and the Framework Convention that states should create necessary conditions to ensure that people who belong to national minorities can effectively take part in cultural, social and economic life and in public matters of concern, especially those that affect them. One of the part-objectives of the minority policy is therefore to strengthen the influence of the national minorities. There are currently various forms of consultation and special grants to organisations that represent the national minorities in order, among other things, to strengthen their influence in social life and for cultural projects. It is essential to have an equal representation of women and men in the consultation.

There are several reasons why national minorities should have the opportunity to influence decisions that affect them personally. One major reason is that it is the national minorities themselves who are best qualified to understand the needs and wishes of their own group. To this end, since 2000 the Government has, among other things, been inviting representatives from the national minorities to an annual consultation meeting. This dialogue has now been evaluated. The evaluation takes into account the Council of Europe's recommendation that consultation with minority groups be developed and given a more concrete form. The evaluation reveals that the annual meeting with representatives of all national minorities needs to be supplemented with a series of meetings between representatives of the Government and each national minority group. This will increase the potential for dialogue both on issues that affect individual groups and issues that affect all groups. A new arrangement for the dialogue with national minorities which takes into account what has arisen through the evaluation takes effect from 2006.

With that in mind, the Government intends to strengthen the consultation further. It is vital that national minorities take part in the gathering of material for Sweden's reports to the Council of Europe and in the follow-up of the critique and recommendations given. The government intends therefore to invite representatives from the national minorities to regular meetings in connection with Sweden's process of reporting to the Council of Europe on the observance of the minority language convention and the framework convention. For example, in June 2006 Sweden will submit its second report to the Council of Europe concerning the observance of the Framework Convention and the report will be preceded by a consultation of this kind. Sweden reports to the Council of Europe on the Framework Convention every five years and on the Minority Language Convention every three years.

The Government also considers in this regard that it is important for representatives from the national minorities to have the opportunity to take an active role in international contexts where their issues are being handled. Representatives from the national minorities will therefore increasingly be offered the chance to take part.

Strategy for the implementation of the minority policy in social life

Measure 39: The Government intends during 2006 to produce a strategy for spreading knowledge and increasing awareness of Sweden's obligations according to the Council of Europe's conventions on national minorities and minority languages. The strategy will include the national minorities and their situation, as well as the minority policy and its objectives.

To ensure that the objectives of the minority policy can be realised, the policy needs to permeate all levels of society. An important prerequisite if the policy is to achieve such an impact is that there needs to be knowledge at all levels of society of Sweden's obligations according to the Council of Europe's conventions on national minorities and minority languages, of the national minorities and their situation, as well as of the minority policy and its objectives. An important task is therefore to spread knowledge and increase awareness of the obligations arising from these conventions.

As an initial measure, the Government has implemented regional conferences on human rights and national minorities. These conferences are now being followed up and will form the basis for an ongoing strategy for the implementation of the minority policy in social life. The strategy will include both central and local measures, e.g. tasks to relevant authorities to spread knowledge of national minorities within the authorities at all levels, local meetings for an exchange of experience between the municipalities and a dialogue forum with representatives from the national minorities and from relevant municipalities. The Government's commission to the Institute for the Study of Human Rights at Göteborg University to produce a handbook on human rights focusing, among other things, on the rights of the national minorities is an important tool in this work.

Within the framework of this measure the efforts of the municipalities to produce special action plans relating to the national minorities will be followed up. This work will be carried out in collaboration with the delegation for human rights which will be set up in March 2006 (see Measure 103).

Measures relating to the education situation for children from the national minorities

Measure 40: As a follow-up to the National Agency for Education's report on the education situation for the national minorities, the Government intends to consider measures against the background of this body's proposals.

In 2004 the Government commissioned the National Agency for Education to survey the education situation for the national minorities, especially within compulsory schools, and to propose appropriate measures. The report on this assignment was submitted in November 2005 under the title *De nationella minoriteternas utbildningssituation* (dnr U2005/8017/S). The National Agency for Education stated in the

report that the education situation for the national minorities is a cause for concern and far from satisfactory when it comes to the question of mother-tongue teaching. The Government has also commissioned the National Agency for Education in its appropriation directions for 2006 to highlight any economic effects of the proposal for a greater right to teaching in national minority languages, as specified in the National Agency for Education's report. A report on this assignment is due no later than 1 May 2006. The Government intends to follow up the National Agency for Education's report on the education situation for the national minorities.

The Government also decided in November 2005 to commission the Swedish National Agency for School Improvement to promote the development and production of teaching materials in Sami for use in Sami schools and for integrated Sami teaching in compulsory schools. The agency is to deliver its report on this assignment as part of the annual report for 2006.

As stated above (Measure 37), the National Agency for Education has also been commissioned to carry out an in-depth study of the situation for Roma in Swedish schools. The assignment was completed in December 2005 and the report is due in February 2007.

See also: Measures 63 and 127.

4.3.4 Measures concerning the Sami

Measure 41: The Government's ambition is that Sweden should ratify ILO Convention (no. 169) concerning indigenous and tribal peoples in independent countries as soon as this can be achieved.

Measure 42: In February 2006 the Government submitted a bill to the Riksdag (Parliament) proposing, among other things, that the Sami Parliament be given wider powers and thereby greater influence.

Measure 43: In September 2005 the Government initiated mediation in order to bring about an agreement on winter grazing in Härjedalen with a view to finding a sustainable, long-term solution to the needs of Sami villagers for winter grazing land.

Measure 44: In November 2005 the working group for a Nordic Sami convention submitted a draft convention text. The purpose behind the ongoing revision of this draft is to establish a Nordic negotiating delegation to work out a final and definitive convention text.

4.4 Economic, social and cultural rights

4.4.1 Introduction

Economic, social and cultural rights are intended to guarantee a basic level of welfare for everyone, without discrimination. The UN treaty bodies, the evaluator of the first national action plan for human rights and the reference groups have all expressed the view that the Government's first action plan for human rights was too limited in its treatment of these issues.

The Government believes it is vital to consider issues of how economic, social and cultural rights are observed in Sweden. There is a risk that without closer consideration it will be taken for granted that the economic and social situation in Sweden is so good that the rights must be being met. It is particularly important to ensure that the realisation of economic, social and cultural rights is not carried out in a way that discriminates against or puts one sector of the population at a disadvantage in relation to another. Such a distinction is unjust and creates an exclusion which risks negatively affecting the whole of society. The Government has also stressed in the document entitled *Policies for democracy* (skr. 2004/04:110) the connection between economic and social marginalisation and inadequate participation in democratic life.

According to the UN Universal Declaration of Human Rights, each person has the right to freely to participate in the cultural life of the community and to enjoy the arts. All forms of cultural expression, including the cultural heritage, are part of a nation's assets. If the whole of the population is to be able to enjoy these common assets, they must be available to all. Cultural rights also include the right of national minorities to their own cultural identity.

4.4.2 Measures related to the right to work

Measure 45: An inquiry has been carried out on de-identified application documents. A report on the assignment was submitted in January 2006. During 2006 the Government will decide on whether and how it is appropriate to test the method with one or more government agencies.

Measure 46: Sweden will introduce a ban on discrimination on the basis of age in the labour field.

Measure 47: The Government is working to produce a national action plan in order to abolish wage differences resulting from gender-based discrimination. This will form the basis for measures within the area.

Measure 48: The Government intends through the appropriation directions for higher education institutions to continue to set targets with regard to the recruitment of professors in order to achieve a more equal distribution between the sexes.

Measure 49: The Government has decided to introduce a new model with a more cohesive way of working in order to strengthen the position on the labour market of those with functional disabilities. The model was introduced on 1 January 2006 and will be evaluated prior to 2009.

4.4.3 Measures related to the right to housing

Measure 50: The result from the Government's inter-ministerial working group set up to oversee the provision of housing is presented in the form of a ministerial memorandum which deals, among other things, with issues of discrimination against those seeking housing. The memorandum is being circulated for comments during spring 2006.

Measure 51: In 2005 the Government commissioned the National Board of Health and Welfare to distribute SEK 30 million over three years to local projects against homelessness and to carry out national surveys of homelessness in the country. The Board is carrying out national surveys of the scale of homelessness in 2005 and 2007.

Measure 52: During spring 2005 the Government elected a national housing coordinator with the task of producing proposals for measures to make it easier for young people, and to a certain extent other groups that are vulnerable in this context, to enter the housing market.

Measure 53: From 2006 the Government intends, starting with ordinary central government resources, to revise the local agreements which the Government has signed with seven metropolitan area municipalities with the long term aim of breaking the social, ethnic and discriminatory segregation in the metropolitan regions.

4.4.4 Measures relating to the right to the highest attainable standard of health

Measure 54: The Government has given the National Institute of Public Health several commissions connected with the relationship between discrimination and health. Against the background of knowledge gathered through the assignments, the Government intends to consider which measures can be taken to improve the preconditions for good health among people who are vulnerable to discrimination.

Measure 55: During the period 2006–2009 the Government intends to carry out measures to counteract differences based on gender, ethnic origin, religion or other faith, sexual orientation or disability in respect of the quality of and access to healthcare and medical treatment.

Measure 56: In 2003, the Government decided that a national psychiatry coordinator would be appointed with the task of looking at

issues of care, treatment etc for people with serious mental disorders and/or disabilities. The assignment runs until 1 November 2006. During spring 2006 the psychiatry coordinator will submit further proposals of importance for the target group.

4.4.5 Measures relating to the right to education

Measure 57: The National Agency for Education, in collaboration with the Equal Opportunities Ombudsman, the Disability Ombudsman, the Ombudsman against Ethnic Discrimination and the Ombudsman against Discrimination on Grounds of Sexual Orientation will carry out information measures with respect to the new law on a ban against discrimination and other abusive treatment of children and pupils.

Measure 58: In 2005 the Government commissioned the National Agency for Education to examine a selection of school textbooks and highlight any expressions deemed to display discrimination or any other form of abuse. The report on this assignment is due not later than 31 December 2006. The Government intends to consider the need for any measures based on the results presented in the report.

Measure 59: The Government intends during 2006 to set up a committee of inquiry to examine the prerequisites for regulating the right to education, nursery school activity and school childcare for children and young people in hiding.

Measure 60: The Government has decided to appoint a delegation for equal rights in nursery schools. The final report on this assignment is due not later than 30 June 2006. The Government then intends to consider measures based on the proposals of the delegation.

Measure 61: During the period 2006–2009 the Government intends to follow up the education situation for children and young people with disabilities and consider whether further measures need to be taken.

Measure 62: The Government continues to prioritise the work with broader recruitment to universities and in January 2006 expanded the remit of the Agency for the Swedish Net University, which has now changed its name to the Swedish Agency for Networks and Cooperation in Higher Education.

Measure 63: During the period 2006–2009 the Government intends to follow up those measures that have been taken by the school authorities after a clearer target was written in the nursery school curriculum with respect to children with a mother tongue other than Swedish and to evaluate how the situation has changed for these children.

4.5 Men's violence against women etc.

4.5.1 Introduction

Issues of violence are not expressly dealt with in the UN Convention on the Elimination of All Forms of Discrimination against Women. The UN Committee on the Elimination of All Forms of Discrimination against Women has, however, stated that the general ban against gender-based discrimination should also be considered to include gender-based violence. The ban includes violent acts on the part of both private persons and persons in public service. In December 1993 the UN General Assembly adopted a special declaration on the elimination of violence against women. The declaration states that violence against women constitutes a violation of the rights and fundamental freedoms of women and impairs or nullifies their enjoyment of those rights and freedoms. The state has a general, far-reaching responsibility to prevent, investigate and punish acts of violence against women, whether those acts are perpetrated by the state or by private persons. The state should also protect and support the victims of such violence.

Against the background of the scale of the problem of male violence against women and society's failure to deal with this violence, the Government believes that men's violence against women should be seen as an obstacle to women's enjoyment of their human rights. The Government also believes that issues of violence in the name of honour and human trafficking should both be seen and dealt with in the context of men's violence against women.

International bodies have on several occasions expressed anxiety over issues of men's violence against women, violence in the name of honour and human trafficking in Sweden. Many representatives from the reference groups have also highlighted these issues in connection with the survey work.

4.5.2 Measures related to male violence against women

Measure 64: The Government has allocated extra funds during the period 2006–2008 for measures to combat men's violence.

Measure 65: The Government is currently considering the issue of converting the National Women's Centre to a national centre of knowledge.

Measure 66: The Government intends during the period 2006–2009 to increase its focus on support for women with disabilities who are vulnerable to violence, inter alia, by supporting the activity of women's refuges in order to improve the level of preparedness for women with disabilities.

Measure 67: The work carried out by the regional public prosecution offices and the National Police Board to improve the quality of crime investigation in rape cases is to continue.

Measure 68: The regional public prosecution offices are to continue during the period 2006–2009 to develop the training of prosecutors in their handling of cases involving assaults on women.

Measure 69: The National Courts Administration is to continue during the period 2006–2009 to develop the training of judicial staff in their handling of cases involving assaults on women.

4.5.3 Measures relating specifically to violence in the name of honour

Measure 70: In October 2005 the Government commissioned the National Board of Health and Welfare to map the occurrences of violence in the name of honour directed at young people by their close relations and to produce a report on the situation with details of the county administrative boards' measures in the form of protected accommodation, preventive work and other measures against such violence. The survey is to be divided according to gender and is to record specifically the extent of the honour-related threat and violence against young people as a result of their sexual orientation. The report on this assignment is due not later than 30 November 2006.

Measure 71: During 2005 and 2006, the National Police Board is carrying out training courses for staff on issues connected with violence in the name of honour and making a survey the training needs of police with regard to these issues.

Measure 72: The Government has commissioned the regional public prosecution authorities to carry out a study and analysis of prosecutors' handling of cases involving violence in the name of honour committed against young people. The report on the measures carried out is to be submitted no later than 31 December 2006.

Measure 73: The Institute for Evidence-based Social Work Practice at the Swedish National Board of Health and Welfare is to list the research, follow-up and evaluation of working methods and forms of work connected with violence in the name of honour. The institute is also to study the results of various measures carried out with the resources which the Government has allocated to the county administrative boards. The final report is due no later than 30 November 2007.

Measure 74: The county administrative board in Östergötland has been commissioned by the Government to give support to projects involving measures at national or county level against violence in the name of honour.

Measure 75: During 2005, by commission from the Government, the National Board of Health and Welfare produced a proposal for how a national, consultative support process can be set up for people who in

their work come in contact with young people who are at risk of violence in the name of honour. The proposal is currently being prepared within the Government Offices.

Measure 76: The Government intends to evaluate the measures undertaken to combat violence in the name of honour. The evaluation is expected to be ready during 2008.

4.5.4 Measures specifically connected with human trafficking

Measure 77: The Government is working to produce a national action plan to counteract all forms of human trafficking.

Measure 78: In February 2006 the Government decided to refer a proposal to the Council on Legislation containing proposals for the implementation of an EC directive for victims of human trafficking. This proposal recommends changes that specify a clearer regulation of the criteria that are to apply for the granting and cancellation of time-limited residence permits for a foreign citizen who cooperates in a preliminary investigation or the main hearing of a criminal case. It is also proposed that a time-limited residence permit of this kind have a period of validity of at least six months.

4.6 Issues relating to the rule of law

4.6.1 Use of violence and force etc. on the part of the authorities

Introduction

International bodies have several times recommended in their statements on Sweden that a special body be set up with the task of investigating cases of suspected assault on the part of the police. The issue has also been taken up by representatives from the reference groups. Another assertion made by international bodies and representatives from the reference groups is that training in matters of human rights for police officers and staff working for other authorities within the legal system should be strengthened.

Measures

Measure 79: The question of an independent inquiry body for cases of suspected assault on the part of the police is being investigated. A report on this assignment is due not later than 31 December 2006. The Government will then consider the inquiry's proposals.

Measure 80: A national tactics project is being run by the National Police Board, inter alia to reduce the use of violence at big demonstrations. From January 2006, 1 200 police officers will have received training in this new tactic.

Measure 81: The Government intends to strengthen its review of the use of secret coercive measures. The form of the reinforced review will be considered in more detail later this year.

Measure 82: The Government intends during 2007 at the latest to commission the National Police Board to report on the measures that have been taken since 2003 with respect to training in human rights and to issue a report on the situation detailing how the training in human rights that is being carried out within the framework of police training is progressing.

4.6.2 Deprivation of liberty

Introduction

International bodies have expressed a number of critical views on the deprivation of liberty in their review of Sweden's observance of conventions on human rights. These relate among other things to the physical conditions in jails and prisons and the use of restrictions in connection with deprivation of liberty. Recommendations have also been put forward for better access to care for inmates with serious mental problems. The reference groups have stressed, among other things, the state's responsibility to protect persons deprived of liberty from assault by other inmates. The views expressed on these issues are described in more detail in the survey in the original version of the document.

Measures

Measure 83: The Government is currently working on a bill with proposals for a new criminal care law, which will include issues of human rights.

Measure 84: During 2005 the Government set up an inquiry with a special investigator to submit proposals for a new prison law. The inquiry is to observe Sweden's international human rights obligations, including the criticism from the Council of Europe's Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment. A report on the assignment is due not later than 15 March 2006. The Government will then consider which measures should be implemented as a result of the inquiry's proposals.

Measure 85: The National Prison and Probation Administration has been commissioned in the appropriation direction for 2006 to outline the scale of violence or threat of violence between inmates at institutions or prisons and to record which measures have been taken in order to prevent actions of this kind. In the light of the National Prison and Probation Administration's report, the Government will consider which further measures need to be taken.

4.6.3 The right to a fair trial and the right to an effective legal remedy

Introduction

When Sweden ratified the European Convention for the Protection of Human Rights and Fundamental Freedoms in 1952, the perception was that Sweden fulfilled the requirements of the Convention. Sweden has, however, repeatedly found itself before the European Court for Human Rights for breaches of Article 6. The problem has mostly involved the Swedish administrative structure and the opportunities of individuals to have decisions made by administrative authorities examined in court. As a result of the European Court's judgments against Sweden, the Act (1988:205) concerning Legal Review of Certain Administrative Decisions came into force. Briefly, the Act means that certain decisions by the Government can be examined by the Swedish Supreme Administrative Court and certain decisions by administrative authorities by the administrative court of appeal in the first instance. In 1998 a rule was introduced in the Administrative Procedure Act (1986:223) whereby administrative decisions could be appealed against at the general administrative courts provided that no special condition states otherwise.

In the first action plan on human rights the right to examination in court and a fair trial was a priority issue. However, since the first action plan was produced in 2002, Sweden has found itself before the European Court over six cases as a result of breaches of Article 6 of the European Convention. Sweden has also been acquitted in several cases during the same period (the judgments involving Sweden are referred to in the original version of the document).

Measures

Measure 86: In December 2005 the Government presented a bill with proposals for a modernised legal review. It is proposed that the changes come into effect on 1 July 2006.

Measure 87: The Government intends once again to have the Legal Aid Act evaluated in order to examine the effects that the Act has had on individuals and to ensure that those who need legal aid the most receive it. The inquiry will also look at the issue of whether small business owners should, in certain cases, be entitled to legal assistance under the same conditions as natural persons. The inquiry is to start shortly.

Measure 88: In the National Courts Administration's appropriation directions, the Government clarified the obligation which the courts have to produce action plans on how the premises, the activity and the information should be accessible to persons with disabilities. When these action plans have been submitted, no later than March 2007, a review should be carried out of any problem areas in order to take any necessary measures to improve court access for persons with disabilities.

Measure 89: The Ministry of Justice intends during 2006 to commission an expert to carry out a review of certain issues relating to the procedure in connection with an application for a new trial in a criminal case.

4.6.4 Respect for human rights in the work against terrorism and other serious crimes

Introduction

International bodies have on several occasions criticised Sweden for measures taken to protect the country against terrorism. The evaluator of the first action plan and the reference groups have also taken up these issues. The views expressed relate to various rights, e.g. the ban against torture and against returning persons to places where their life or freedoms could be threatened (the principle of non-refoulement), the right to a private life and the right to a fair trial and an effective legal remedy. Many views, however, have one thing in common, namely that they concern the question of which restrictions of human rights are necessary and proportionate for the purpose of protecting public safety..

Questions on the principle of non-refoulement are dealt with below in Section 4.8.1.

Measures

Measure 90: A new procedure for cases under the Special Aliens Control Act and security cases under the Aliens Act is being introduced on 31 March 2006. The Swedish Migration Board makes the initial decision and an appeal can be made against this to the Government. Before the case can be transferred to the Government, the Migration Court of Appeal shall hold oral proceedings and express its opinion. If the Migration Court of Appeal finds that there are obstacles to executing the decision, the court's finding shall be binding in that respect for the Government.

Measure 91: A special evaluator has been appointed to examine how the EU Council Directive on minimal norms for the procedure for granting or revoking refugee status should be implemented in Sweden. The question of the right to an effective legal remedy in security cases should be carefully reviewed within the framework of the directive. The report on this assignment is due not later than 15 June 2006. The Government will then consider which measures need to be taken against the background of the inquiry's proposals.

Measure 92: The inquiry into a review of the law on certain international sanctions, the report of which is due no later than 31 March 2006, will examine the extent to which the procedure in the use of sanctions geared towards individuals can be combined with a right to examination in court and also highlight other aspects of the rule of law. The Government will then consider which measures should be taken to strengthen the rule of law in the sanction procedure.

Measure 93: A Nordic working group is considering how human rights and the rule of law can best be safeguarded in the national and international work against terrorism. The working group will produce a report on its work.

4.7 Political rights

4.7.1 The right to political participation

Introduction

The right to political participation is guaranteed, among other ways through the UN Covenant on Civil and Political Rights, Article 25, which stipulates that each citizen has the right to take part in the conduct of public affairs either directly or through freely chosen representatives. The UN Human Rights Committee made clear in 1996 in a general comment (no. 25) that political participation should be seen as a broad concept which includes the exercise of legislative, executive and administrative power at all levels of society. To take part in the conduct of public affairs can also mean to take part in debate and dialogue with elected representatives and via organisations. According to Article 2 of the same convention, the right to political participation should be realised without discriminatory distinction.

In the document entitled *Policies for democracy* (skr. 2004/04:110), the Government stated that democracy requires realisation of human rights. At the same time, broad citizen participation in an efficient democratic system is essential to the task of protecting and promoting human rights. Democracy policy should therefore include measures for an increased and more equal civil participation and measures to promote human rights. A priority issue in the ongoing promotion of democracy is to highlight and counteract structural obstacles that influence different people's participation – and thereby power and influence.

In many other policy areas participation and influence are important requirements in realising the objectives for the policy area. In certain areas participation and thereby power and influence are an objective in themselves. One might mention, for example, the fact that young people's actual access to power is one of the two overall objectives in the national youth policy.

Measures

Measure 94: During the period 2006–2009 the Government intends to carry out within the framework of the measures programme entitled *Delaktiga Sverige* ("Participating Sweden") a range of activities geared towards increased and more equal civil participation.

Measure 95: On 1 January 2006 a new Elections Act came into force. This Act involves a sharpening of municipal responsibility with regard to the access for voters with functional disabilities to voting locations.

4.7.2 Freedom of association

Introduction

Freedom of association is protected by a number of international documents on human rights. According to the UN Universal Declaration of Human Rights, Article 20, everyone has the right of peaceful assembly and association. It also states that no one may be compelled to belong to an association. Freedom of association is also protected in the European Convention on Human Rights, Article 11. The negative side of the freedom of association is not expressly mentioned in Article 11, but the European Court has, through case law, interpreted this aspect of freedom of association as being covered by it. The European Social Charter (1996) provides protection in Article 5 to organise. It is thought that both the positive and the negative rights of association are included in the article.

Freedom of association is also protected in Swedish constitutional law. According to Chapter 2, article 1 (5) of the Instrument of Government, every citizen shall be guaranteed in his relations with public institutions the freedom to associate with others for public or private purposes. Every citizen is also, according to Chapter 2, article 2, of the Instrument of Government, protected against any coercion to belong to a political association, religious community or other association for opinion in a political, religious or cultural connection.

The question of whether Sweden fulfils the requirements of the European Social Charter has recently been examined by the Council of Europe's Committee for Social Rights. The Federation of Swedish Enterprise alleged in a collective complaint that Sweden had violated the negative side of the right to organise (i.e. that no one should be compelled to belong to an association) by allowing what are known as closed shop clauses in collective agreements within the building sector. The clauses mean that an employer must initially employ trade union members, otherwise the union can maintain that there is a breach of the collective agreement. The European Committee for Social Rights held that Sweden was guilty of violating the freedom not to join a trade union by allowing the clauses.

Measures

Measure 96: During 2006 the Government intends through a supplementary terms of reference to the ongoing review of policy on popular movements to examine the opportunities for attaching requirements related to non-discrimination to various measures of state aid to NGOs. The investigator's report is due no later than 30 June 2007.

Measure 97: Following dialogue between the Government and the social partners, the closed shop clauses have been removed in 2005 from the Swedish Building Workers' Union's collective agreements. The Government continues to monitor developments relating to organisation clauses.

4.8 Asylum and migration issues

4.8.1 Introduction and general issues

Introduction

Sweden's refugee policy has on several occasions in recent years been the subject of critical comments from international bodies and has also been much discussed at national level. Views have also been expressed in the evaluation of the first action plan and by the reference groups. The views have ranged over several issues, among others the fact that the refugee policy is considered too restrictive, questions of violations of the prohibition against returning persons to places where their life or freedoms could be threatened (the principle of non-refoulement), and the situation of asylum seekers and children in hiding. These statements and views are described in more detail in the original version of the action plan. There is also a description of the new aliens legislation which comes into force on 31 March 2006. Details are not included, however, in this summary.

Measures

Measure 98: The Swedish Migration Agency is to ensure that its staff have a good level of expertise in issues relating to human rights and the rights of asylum seekers. The Government is following the Swedish Migration Agency's ongoing work of maintaining and developing the staff's expertise on issues relating to human rights and is giving the Migration Agency special assignments where necessary to safeguard this expertise.

Measure 99: The Government has commissioned the Swedish Migration Agency to produce a report on the results of the agency's measures programme for ethical issues. The report is due not later than 1 July 2006.

Measure 100: Child rights remain a high-priority area within asylum and migration policy.

Measure 101: The Government is implementing several law changes in order to provide children who arrive in Sweden alone with improved protection and support.

Measure 102: The ban in international law on torture and other inhuman or degrading treatment or punishment is absolute.

See also: Measure 59.

5 Organisation and coordination of the work of promoting human rights

5.1 Introduction

The Government is responsible to the global community for ensuring that Sweden meets its international human rights obligations. From the point of view of international law, the states' internal organisation and coordination problems do not represent an acceptable explanation for non-compliance with international obligations. Since a large number of representatives from the public sector at different levels of Swedish society are involved in the work of protecting and promoting human rights, there is a need for an overview and coordination.

Through the first National Action Plan for Human Rights, which was presented in 2002, the Government laid the foundation for a more unified approach to issues of human rights in Sweden. The action plan made it clear that the Government should work towards better coordination of the work on human rights.

With this second Action Plan the Government intends to strengthen further the organisation and coordination of the work towards achieving full respect for human rights in Sweden.

5.2 Organisation of the work of implementing the Action Plan

Delegation for human rights in Sweden

Measure 103: In March 2006 the Government intends to set up a delegation for human rights charged with the task of supporting central government agencies, municipalities and county councils in the long-term work of ensuring full respect for human rights in their activities. The delegation will also be given the task of spreading information and knowledge about human rights among the general public and stimulating public debate on human rights. It is planned that the delegation will work up to and including March 2010.

Both the evaluator of the first action plan and a number of reference groups have stated that education on human rights within public administration is an area that needs to be prioritised in the Government's second Action Plan for Human Rights. This applies to both central government agencies, municipalities and county councils. The view has also been expressed that there is a great need to adapt the training to the activity and the target group, e.g. by designing education measures to match problems taken from the target group's daily activity, to produce specially adapted material and identify targets and indicators that can be followed up within the areas of responsibility of the central government agencies, municipalities and county councils.

The knowledge of human rights needed to design and implement such development measures only exists, however, to a limited extent within central government agencies, municipalities and county councils. The

Government Offices have in the past provided some support to agencies which had assignments on human rights, including the seven county administrative boards that were given the task of analysing their activities from the point of view of human rights. The need for support in the implementation phase of the agencies' human rights assignments is, however, too extensive to be met by the Government Offices.

The Government Offices have also, as part of the implementation of the first action plan, arranged regional conferences on human rights for employees and elected representatives within municipalities and county councils. In this context it has emerged that there is interest within this sector in working in a more conscious way to promote human rights while, at the same time, the knowledge of what this entails, and how this can be practically accomplished, is limited. The participants at the conferences, and the representatives from municipalities and county councils who took part in the reference group meetings, have asked for concrete proposals and material currently lacking in Swedish, such as collections of good examples and other tools for the promotion of human rights.

The evaluator has proposed that the Government set up a new function with the task of offering the support needed in connection with central government agencies, municipalities and county councils to promote respect for human rights in their activities. The Government believes that such a body would fulfil an important function and help in a concrete way to achieve the long-term objective of full respect for human rights in Sweden.

The Government also believes that there are other important tasks that might be appropriately carried out by a delegation for human rights. There is a clear need for increased, more target group-adapted information measures on human rights for the general public. Individuals need to be aware of and to have a certain basic knowledge of their human rights in order to be able to monitor and safeguard them. Measures for increasing knowledge and awareness of human rights among the general public should be based on a survey of how such information and knowledge is currently spread and which groups receive an inadequate amount of such knowledge and information. This analysis and the implementation of the information measures both represent suitable tasks for the delegation.

Finally, it should be mentioned that a delegation consisting of people with a good knowledge of human rights, different aspects of Swedish public administration, experience of NGOs, etc., should be well suited for helping and stimulating public debate on issues of human rights in Sweden. The delegation will also, therefore, be given this assignment.

The task and composition of the delegation will be described in more detail when the Government adopts the directive in March 2006.

5.3 Management of government agencies

Agency management with regard to issues of human rights

Measure 104: The Government intends in its management of agencies during 2006–2009 to examine how the responsibility for respecting human rights can be clarified for agencies whose operation is of particular importance in ensuring that human rights are respected. The measures will be coordinated with the agencies' ongoing, planned work in order to prevent and counteract discrimination, as will be the case with other ongoing, planned work which involves human rights issues.

The Government's long-term objective is full respect for human rights. This means that human rights must not be violated. It is the state's responsibility, through legislation, agency management, dissemination of knowledge, information and other means, to counteract abuses of human rights. The task of making the government agencies aware of their responsibility for ensuring that human rights are not abused, and of increasing understanding of what the international obligations mean, was intensified in connection with the implementation of the first National Action Plan for Human Rights in 2002. This has led to a number of government agencies being given the task of working with issues of human rights, for instance, through competence development. A number of agencies have also been given assignments connected with human rights in the appropriation directions for 2006. The Government intends to continue this work during the period of validity of the action plan.

Against the background of what has been described in the survey of the situation on human rights in Sweden in 2005, it is essential that the agency management in respect of these issues be adapted more clearly than was the case in the past to the operation within the respective agency. Respect for, and awareness of, human rights must be seen as an attitude in the ordinary operation of public administration, not as a separate area alongside. The measures being carried out should aim to increase knowledge and awareness of, and respect for, human rights as binding obligations for Sweden. The starting-points in international conventions on human rights within each agency's area of operation should be clarified.

It should be pointed out that the measures that should be implemented to promote respect for human rights do not replace but should be seen as complementary to the management of the agencies in respect of ongoing or planned work on issues involving human rights, such as gender equality, non-discrimination, the rights of persons with disabilities, the rights of the child and the rights of national minorities.

An assessment will be made in each individual case to determine which type of measures are needed in the relevant parts of the operation and which aspects of human rights require special attention from the agency concerned. It may be mentioned as an example that discrimination is a central issue, which is why a large number of agencies have been, or shortly will be, given the task of developing anti-discrimination strategies. Other examples of rights issues that are actualised within agency operations are different aspects of the right to

education for the National Agency for Education and issues of rights in connection with care without consent or deprivation of liberty for the National Board of Institutional Care. The issues that need attention can also change over time.

Competence development with regard to issues of human rights that are actualised in agency activity will be an important measure. A central target group for competence development measures is people in leading positions within the government agencies. When considered appropriate, certain agencies will also be given the task of identifying targets and indicators that can be followed up to make it easier to evaluate the work of promoting respect for human rights. In designing such measures, it should be noted whether the agency has already worked or is already working in this way with some issue linked to human rights so as to avoid duplication of work and to ensure that the measure can be concentrated on the most important aspects of the various rights issues.

The Government intends to concentrate the work of agency control in respect of human rights on those agencies whose operation is of special importance when it comes to ensuring that human rights are respected. The agencies which initially come into this category are the Swedish National Labour Market Administration, the National Board of Housing, Building and Planning, the Swedish National Economic Crimes Bureau, the Living History Forum, the Swedish Social Insurance Agency, the National Prison and Probation Service, the Swedish Coast Guard, the Swedish Migration Board, the National Police Board, the Swedish Security Service, the National Agency for Education, the National Board of Health and Welfare, the National Board of Institutional Care, the Board of Customs, the National Board for Youth Affairs and the Swedish Prosecution Authority. Other government agencies may, however, come into the picture. The Government is considering further how the measures involving the seven county administrative boards (the boards in the counties of Stockholm, Östergötland, Skåne, Halland, Värmland, Västernorrland and Norrbotten), which since 2004 have worked with issues of human rights, should be followed up and whether other county administrative boards should work in a similar way.

The delegation which is to be set up (see Measure 103) will be given the task of supporting the government agencies in the implementation of measures that will be taken to promote human rights so that the relevant issues are defined and competence development and other measures are clearly adapted to the agency's area of operation. The measures will also be coordinated with ongoing or planned work in accordance with what has been written above.

The state's role as employer

Measure 105: The state shall be an example in its role as employer. Issues of human rights are an important part of the Government's administration policy.

Issues of human rights are an important part of the Government's administration policy and it is vital that the state be an example in its role

as employer. Many human rights are protected in the Swedish constitution, as is the case with many other basic requirements imposed upon central government administration. There are also other statutes that affect which rights the general public or certain groups have in relation to the public sector and in this way regulate central government activity.

The Government has delegated large parts of the employer policy to the heads of agencies. The heads of government agencies must ensure that the employees are thoroughly conversant with the objectives of the operation and must create good working conditions and utilise and develop staff expertise and experience. The agencies' employer responsibility is a strategic instrument that makes it easier for the agencies to organise the development work so that the employees at all levels can take part in the development of the agency's operation and work processes.

The Government's objective for state employer issues is a coordinated state employer policy which ensures that relevant expertise is available in order to achieve the desired result. The agencies are to manage their employer policy in such a way as to ensure that they have the expertise required to achieve the operational targets specified by the Government. The Swedish Prosecution Authority, the National Police Board and the National Courts Administration are examples of agencies which have carried out competence development measures relating to human rights issues.

Issues of human rights are an important part of the Government's administration policy. It is vital that the government assignment and the value foundation on which the central government administration rests – and this includes human rights – is taken into consideration by all who work within the administration. It is also important to give newly-appointed employees the information needed to understand the Swedish administration and the role of the civil servant.

In order to support central government administration's provision of competence with an emphasis on administrative knowledge and administrative ethics, the National Council for Quality and Development (KKR) has carried out qualified introduction programmes for new central government administrators and various programmes geared towards managers. The training courses have included such topics as openness, insight and ethical issues. KKR ceased as an agency at the end of 2005 and the operation has been transferred to a new agency which focuses on administration policy, the Swedish Administrative Development Agency (Verva).

5.4 Municipalities and county councils

Municipal objectives and action plans on human rights

Measure 106: The Government encourages municipalities and county councils to adopt the Government's long-term objective – full respect for human rights – as an objective for its own work and to produce local action plans for human rights.

The municipalities and county councils have an important role and a great responsibility for ensuring that Sweden fulfils its human rights obligations. These obligations also represent a part of the framework for the municipalities and county councils in their operations. The municipalities and county councils currently account for a large part of the social tasks that directly affect individual citizens. A number of these tasks are of great importance for the implementation of human rights, e.g. the right to education, the right to housing, the right to the highest attainable standard of health, the rights of persons with disabilities and the rights of national minorities. The municipalities' and county councils' areas of operation therefore often impact upon the economic, social and cultural rights of the individual. Protection against discrimination and other issues relating to treatment and attitude are therefore of the highest importance in the municipalities' and county councils' operation.

At present only a limited number of municipalities and county councils work consciously and expressly to safeguard respect for human rights in their operations. However, many municipalities and county councils work with issues that touch upon human rights, e.g. equal opportunities, non-discrimination and diversity, rights of persons with disabilities and the rights of the child.

Full respect for human rights can lead to a positive development for the municipalities in many different ways. Respect for the individual's human rights means less risk of marginalisation and dissociation from political life and society. The potential of residents can be developed and utilised and the municipalities can become more attractive places in which to live and work.

The Government therefore encourages municipalities and county councils to adopt the Government's long-term objective – full respect for human rights – as the objective for its own work on human rights. The Government also encourages municipalities and county councils to produce local action plans on human rights for use within their own operations. That way the work of promoting human rights can be run in a more systematic and coordinated way. The Government believes that the creation of an action plan for human rights is a valuable process. Through the work of surveys and action plans the human rights situation can be regularly analysed and new measures taken to promote the rights. If an action plan for human rights is produced in consultation with representatives from different parts of society, interest in and awareness of human rights may increase. Moreover, problems relating to issues of human rights can be discussed directly with the public during the process of devising an action plan. It is therefore the Government's view that it would be valuable to create local action plans for human rights through such consultation processes.

The municipalities and county councils that are interested in this will be offered support geared to their particular operation and competence development related to issues of human rights in municipal activity by the delegation for human rights which the Government intends to set up in March 2006.

Dialogue with municipalities and county councils on their responsibility for human rights

Measure 107: The Government intends during the period 2006–2009, taking the action plan as its starting-point, to continue and intensify the dialogue with the municipalities and county councils on their responsibility for human rights.

The Government has consulted with municipalities and county councils during the creation of this action plan. The sphere of activity of municipalities and county councils is in some respects decisive in terms of whether Sweden will be able to meet its human rights obligations. It is thus vital that municipalities and county councils be aware of their responsibility for these rights, feel that they are involved and can use the action plan in their own work in order to ensure that human rights are fully respected.

The Government therefore intends during the period 2006–2009, taking the action plan as its starting-point, to continue and intensify the dialogue with municipalities and county councils on human rights.

Handbook on human rights in municipal activity

Measure 108: In December 2005 the Government commissioned the Institute for the Study of Human Rights at Göteborg University to create a handbook on human rights in municipal activity. The report on this assignment is due not later than December 2006.

Since the first national action plan for human rights was drawn up in 2002, the Government has carried out various measures designed to stimulate greater discussion and knowledge of human rights in municipal activity. For example, regional conferences on human rights and national minorities in municipal activity were held during 2003 and 2004. These conferences showed among other things that there is a great deal of interest at local government level in gathering knowledge and exchanging experience in these areas. The conferences also showed that there is a need to concretise and problematise the importance of human rights at local government level. This involves such issues as the rights of national minorities and economic and social rights. To facilitate and encourage such a process, the Government believes that there is a need for a handbook which sets out concrete problem areas and methods.

The Government has therefore commissioned the Institute for the Study of Human Rights at Göteborg University to produce a handbook on human rights in municipal activity. According to the terms of the assignment, the handbook shall be designed in such a way that it can be used as a practical tool by elected representatives and officials at municipal level, and can concretise how human rights can be promoted in municipal activity. It is to contain concrete examples and practical methods for promoting human rights within different areas of municipal activity. The focus shall be on the right to protection against discrimination, the right to education, the right to housing, the rights of

persons with disabilities and the rights of national minorities. The report on this assignment is due not later than 1 December 2006.

Human rights in the local government audit

Measure 109: The Government intends during 2006 and 2007 to discuss with the Swedish Association of Local Authorities and Regions how human rights may be taken into consideration in the local government audit.

Activity that is run within municipalities and county councils should be characterised by democratic legitimacy, the rule of law and effectiveness. One condition of this is, among other things, that the citizens have opportunities to enjoy influence, insight and responsibility. Here the examination of the lay audit in municipalities and county councils has an important role to play. The primary purpose of the local government audit as a democratic instrument of control is to examine and test the operation and thereby defend democracy, the rule of law and effectiveness.

Another key point is that people must be able to feel confidence in public activity. To achieve this confidence it is necessary to ensure, among other things, that both the decisions of the elected representatives and the implementation of those decisions are analysed and assessed. A well-functioning system of auditing and a clear demarcation of responsibility are therefore important parts of local democracy and municipal self-government. The examination is the council's tool for analysis and assessment of responsibility. The examination is carried out on the basis of several perspectives – democracy, effectiveness and control, security and economy.

Since respect for human rights is a basic prerequisite in ensuring that municipal activity can be carried out while at the same time maintaining democratic legitimacy and the rule of law, the Government believes that it would be beneficial to offer municipal auditors the knowledge of human rights that might be of relevance to them in carrying out the local government audit.

The Government therefore intends, with the help of the Swedish Association of Local Authorities and Regions, to examine the issue of whether and how targets and perspectives on human rights can be integrated into the local government audit, e.g. in the article *God revisionssed i kommunal verksamhet*, (Good auditing practice in local government audits, in Swedish) and at meetings and training courses for auditors.

5.5 Methods and tools

National goals for human rights

Measure 110: In order to promote the long-term objective of full respect for human rights in Sweden, the Government intends during 2006 to initiate a project of identifying national goals that can be followed up for

a selection of human rights. The national goals for human rights will be placed in relation to the objectives that have been formulated within the relevant policy areas.

In the evaluation of the first national action plan for human rights, the Government was advised to consider the possibility of devising methods in order to follow up and evaluate the work on human rights. As a follow-up to this recommendation, the Government commissioned the Department of Law at Lund University in 2005 to carry out a study of methods and analytical tools that can be used to concretise, clarify and follow up the work on human rights. The study focused on human rights indicators. These indicators represent a tool, or a method, that can be used to measure whether, and how, a state meets its human rights obligations. A report on this assignment has been produced.

The Department of Law at Lund University concludes in this study that indicators can represent an important tool for concretising, evaluating and following up the work of promoting human rights. According to the study, however, careful consideration needs to be given in the work with indicators to which goals there are for the realisation of the different rights. The Government shares these conclusions.

The first step that should be taken in order to better evaluate and follow up the work on human rights is therefore to identify the goals. The Government's long-term and overall objective is full respect for human rights in Sweden. The Government intends during 2006 to initiate a project of identifying national goals that can be followed up for specific human rights. The work will be concentrated on a selection of human rights. The human rights goals will be placed in relation to the overall objectives that have already been formulated within the relevant policy areas.

Indicators for evaluating and following up the work on human rights at national level

Measure 111: The Government intends during the period 2006–2009 to devise indicators that will make it possible to evaluate and follow up the work on national goals for human rights.

The above-mentioned study by the Department of Law at Lund University states that the use of indicators can drive forward development of the protection of human rights. If properly designed, the indicators provide information on the actual situation, which in turn can be used as a basis for the ongoing work and the formulation of goals. The study shows that a careful balance needs to be made between how specific and how general indicators are to be. Indicators should be supplemented by sub-indicators or variables and should also give room for measurements over time.

Projects within the international development co-operation are often evaluated using methods similar to the work with indicators. It increases the credibility of the development co-operation, as for Sweden generally within the area of human rights, if these methods are also used in the

national work. It is already a fairly common method in Sweden to use tools of analysis when evaluating state and municipal activity.

The Government intends, when the national goals have been identified for a selection of human rights, to devise indicators that can be used to evaluate and follow up the work in relation to these objectives. The specific rights and circumstances that are of relevance within each area should determine how the sub-indicators are to be designed. The work of concretising and evaluating that is going on at international level should also be taken into account. Indicators that are based on individually-based statistics should be presented, commented upon and analysed according to gender.

Human rights are first and foremost the Government's responsibility. The realisation of human rights is, however, dependent upon which measures are carried out within the whole of the public sector. A central aspect of the work on human rights is thus the need for coordination and note should be taken, when devising indicators, of which agencies and other actors are responsible for realising these rights and how these players can use the national goals and indicators in their operations. As described above, the Government is also considering to commission certain agencies to devise goals for themselves and indicators that will make it easier to evaluate their work on human rights. It should be possible to relate the agencies' goals and indicators to the national goals and indicators.

The Government has already started a project of developing indicators in several areas, one of them being to calculate the effects of the measures for implementing the Convention on the Rights of the Child and following up the child policy. Indicators have also been devised for parts of the work against discrimination and for equal opportunities. The task of developing indicators for issues of human rights should be carried out with consideration given to the work that is already going on in areas that impact upon human rights.

The result of the work on human rights goals indicators will be used in, among other things, the formulation of the next action plan for human rights.

International conference on national action plans for human rights

Measure 112: The Government intends to invite other states which have or are thinking of devising national action plans for human rights to a conference on such action plans during 2008.

A relatively limited number of states have devised national action plans for human rights. Interest in the plans seems, however, to be growing. Since the first action plan was agreed in January 2002, the Government Offices have received a number of visits from representatives of other states intending to devise action plans for human rights. The Government Offices have also taken part in international meetings about such plans, e.g. with representatives from the Office of the United Nations High Commissioner for Human Rights.

The Government believes that the exchanges of experience that take place at these meetings are very valuable. It is also the Government's hope that international discussions on national action plans for human rights may encourage more states to devise such action plans.

The Government intends therefore to invite other states to an international conference on national action plans for human rights to be held during 2008. Representatives from international interstate organisations, e.g. the UN, the EU and the Council of Europe, will also be invited, as will representatives from private organisations.

5.6 The work within the Government Offices

The Government's working group for human rights

Measure 113: The Government intends during spring 2006 to make a decision on the appointment of an interministerial working group for human rights that will have the task of, among other things, monitoring the implementation of this action plan.

On 9 May 2000 the Government Offices decided within the Ministry of Justice to appoint an interministerial working group charged with the task of devising proposals for the first national action plan for human rights. On 24 January 2002 the document entitled *A National Human Rights Action Plan* (skr. 2001/02:83) was submitted to the Riksdag (Parliament).

The working group has on several occasions been given extended assignments and new commissions. These commissions have included implementing and following up the first action plan and ensuring that it is evaluated, providing a forum for information and discussion of the international work on human rights, helping where necessary with the coordination and planning for negotiations at international fora, and devising a proposal for a second national action plan for human rights. The working group is led by the Ministry of Justice (the Division for Democratic Development, Human Rights, National Minorities, Non-Governmental Organisations and Sport) and the Ministry for Foreign Affairs (the Department for International Law, Human Rights and Treaty Law).

All ministries of the Government Offices are represented in the working group. The interministerial working group's members are contact persons for their respective ministries over issues relating to human rights. The role of the working group is a coordinating one and does not involve taking over responsibility for human rights issues that come within the area of expertise of the ministries themselves. It is essential that human rights issues are not seen as a separate area of activity. Respect for and awareness of human rights should instead permeate ordinary activity.

The present interministerial working group has been appointed through a decision by the Government Offices. This working group's mandate ends on 31 March 2006. To highlight the importance of this issue, the Government believes that a new interministerial working group for

human rights should be established by governmental decision. The Government intends to appoint the new interministerial working group for human rights during spring 2006. The working group will have the task of, among other things, monitoring the implementation of this action plan.

Deeper collaboration over issues relating to human rights

Measure 114: The Government intends to commission the interministerial working group for human rights to consider how the collaboration and the exchange of experience and information over issues relating to human rights can be deepened and improved within the Government Offices.

Human rights impact upon practically all policy areas and express fundamental needs in respect of the rights of the individual, which should be placed within these areas. Key issues in the work on human rights include gender equality, non-discrimination, the rights of the child, the rights of persons with disabilities and the rights of national minorities. These issues – sometimes called “cross-sector” or “general” issues – are organised within different policy areas, each of which has objectives and strategies for implementing the policy. Measures used include action plans, reporting requirements and agency commissions.

The evaluator of the first action plan for human rights has stated that the various action plans relating to human rights issues need to interrelate better with one another. Representatives from the reference groups have pointed out that many within the agencies are confused when faced with different tasks and requirements presented as general perspectives without any clear explanation of how they relate to each other.

It is important to protect the preparatory instrument at the Government Offices, i.e. to ensure that issues dealt with and measures taken are prepared in consultation with all the divisions and ministries involved. Efforts are being made, in combination with this, for a fruitful collaboration between the general, or cross-sector, policy areas over the exchange of experience and information, and the planning of measures. The interministerial working group for human rights is a forum for such a collaboration. The working group will be given the task of examining how the collaboration and the exchange of experience and information over issues involving human rights can be deepened and improved within the Government Offices.

See also: Measures 120 and 132.

6 Work designed to change attitudes etc.

6.1 Introduction

According to a number of international conventions and documents, education should strengthen respect for human rights. The evaluation of the first national action plan for human rights includes the recommendation that education on human rights should be prioritised in the Government's second action plan for human rights. The evaluator stresses that education on human rights, both within the education system and for civil servants, is of the highest importance in the task of achieving actual change.

The Government shares the view that education on human rights is of great importance, perhaps the most important tool in the work of promoting human rights in the long term. Increased knowledge and awareness are also, as mentioned at the beginning of this report, central in the work of achieving the Government's long-term objective of full respect for human rights in Sweden.

6.2 Education on human rights within the education system

6.2.1 Education on human rights in school

Clarification of human rights in the Education Act

Measure 115: In a future Government bill on a new Education Act, the Government intends to recommend that the Act should stipulate that education shall promote respect for human rights.

During the last decade the Swedish school system has undergone extensive reform which will conclude with a proposal for a new Education Act. A committee of inquiry was set up in 1999 (ToR 1999:15) with the task of putting forward a proposal for a new Education Act. The inquiry's proposal (SOU 2002:121, *An Education Act for quality and equality*) and a draft for referral to the Council on Legislation have been circulated for comment. The Government intends to present an Education Bill to the Riksdag (Parliament) during the next term of office.

Several other reforms are to be implemented. These include, for example, the Act (2006:67) Prohibiting Discrimination and Other Degrading Treatment of Children and School Students, which comes into force on 1 April 2006 (Government Bill 2005/06:38). The new Act is partially based on EC law and the proposal is in line with the aims of the Convention on the Rights of the Child.

The Government believes that human rights need to be more heavily emphasised both as an area of knowledge and as guidance for work and attitudes within the school world. In its Education Bill the Government therefore intends to propose that it be expressly stipulated that education should promote respect for human rights. The Government also intends

to propose that there should, as in the current school legislation, be a provision that all children shall have equal access to education.

Human rights represent a central part of the task of schools to promote democracy

Measure 116: Human rights represent a central part of the task of schools to promote democracy.

The evaluator of the first action plan has expressed the view that the concept of basic values in the curricula should be replaced by human rights and democracy. The Government does not share this view. The concept of basic values is well established in schools. A number of large-scale measures have been implemented in schools to clarify the task of communicating basic values, e.g. the basic value project of 1999–2000, which aimed to stimulate the work relating to issues of democracy within schools, and the establishment of basic value centres.

The Government does, however, believe that human rights represent a key part of the task of schools in promoting democracy and should be included in the work with basic values.

Clarification of human rights in the school steering documents

Measure 117: In connection with the review of the school steering documents following the introduction of new school legislation, the Government intends to clarify within the curricula that human rights are a central part of the task of schools to promote democracy and that knowledge of human rights shall be communicated within schools.

The value foundation in the UN Universal Declaration of Human Rights is the principle that all human beings are equal in dignity and rights. This principle is especially highlighted in the education system's steering documents. The curricula for the pre-school (Lpfö 98), compulsory education, the pre-school class and the after-school recreation centre (Lpo 94), and for the voluntary school forms (Lpf 94), are introduced by a chapter which stipulates that the activities should be based on a democratic foundation and be designed in accordance with basic democratic values. The three curricula, which are based on the Education Act (1985:1100), are introduced by a section on basic values in the organisational forms, commission, tasks and activities. The formulations on basic values in the curricula are founded on basic principles of human rights and democracy.

According to the curricula, all who work within schools should promote respect for each person's intrinsic dignity and respect for our common environment. The school's task is to communicate, shape and establish the core values on which our life in the community is based. These values include the sanctity of human life, the freedom and integrity of the individual, the equal dignity of all human beings, equality between men and women, and solidarity with the weak and vulnerable. All people should be treated equally and with respect. The new Act

(2006:67) Prohibiting Discrimination and Other Degrading Treatment of Children and School Students applies to all pupils irrespective of gender, ethnic origin, religion or other form of faith, sexual orientation and disabilities. Hostility towards foreigners and intolerance should be countered by knowledge, open discussion and active measures.

There are also targets and guidelines for pupils' responsibility and influence in the curricula. The basis for democratic thinking is established as early as pre-school. Pupils should be able to influence developments, take responsibility and participate. Their knowledge-based and social development requires that they take a major responsibility for their own work and the school environment. Headteachers have a special responsibility according to the curricula to ensure that school staff are familiar with the international agreements which Sweden is committed to observe.

It can be seen from compulsory school syllabuses for social studies subjects that Swedish legislation, the basic freedoms and rights, and international agreements on human rights such as the UN Universal Declaration on Human Rights and the Convention on the Rights of the Child, should be observed and should form the basis for consideration and reflection in a national and global perspective.

During the work of surveying and drawing up the action plan several representatives from the reference groups have asked for clearer formulations in the education system's curricula with regard to respect for human rights, the right to humanitarian treatment and conflict resolution. The Government shares these views. Today's curricula emphasise the basic values which the school should communicate, and with the new Act (2006:67) Prohibiting Discrimination and Other Degrading Treatment of Children and School Students the grounds for discrimination, together with the need for an equal-treatment plan, will clarify and sharpen the task for schools and the connection between human rights and the school's basic values. This means that the curricula need to be revised in this respect.

Since human rights are a central part of the schools' work to promote democracy, this should be clearly shown in all the school's controlling documents. The Government also intends to clarify in these documents that knowledge of human rights should be communicated within the school.

6.2.2 Education on human rights within higher education

Assignment on human rights within higher education

Measure 118: The Government intends in 2007 to commission the National Agency for Higher Education to examine how human rights are observed in education courses where such knowledge may be considered to be of great importance for future professional activity.

The evaluator of the first national action plan for human rights has recommended that a review be made of the extent to which education on human rights forms part of higher education courses, with special focus

on courses where students in their future professional roles will have considerable influence when it comes to respecting and protecting other people's rights. A number of representatives from the reference groups have also stressed the importance of ensuring that education on human rights forms part of relevant vocational training courses and that this training should be concrete and related to practical situations that may arise in the students' future professional lives.

The National Agency for Higher Education has previously carried out studies of how, for example, child and gender perspectives are observed in different education courses. A comprehensive review of the situation as regards how issues of human rights are addressed in training courses has, however, not been carried out. The Government will therefore commission the National Agency for Higher Education in 2007 to examine how human rights are observed in training courses where students in their future professional roles will have considerable influence over the protection of other people's rights.

Knowledge of human rights within higher education

Measure 119: The Government is considering whether there is any need to introduce requirements of knowledge of human rights in relevant examination descriptions for professional examinations or whether it is possible in some other way to promote knowledge of human rights in higher education.

The evaluator of the first national action plan for human rights has strongly emphasised the importance of prioritising education on human rights in the next action plan for, among others, professional people. It has also been suggested in the evaluation that special provision be made to implement training courses where students may be expected in their future professional roles to have influence in situations where human rights are especially critical. A number of representatives from the reference groups, e.g. the Ombudsman against Ethnic Discrimination, the Ombudsman against Discrimination on Grounds of Sexual Orientation, the Children's Ombudsman, the Department of Law at Stockholm University, the Stockholm School of Theology, the Institute for the Study of Human Rights at Göteborg University and various non-governmental organisations, have expressed the view that education on human rights should form part of relevant vocational training courses. The vocational courses considered especially relevant include those for lawyers, doctors, teachers, graduate social workers and psychologists.

The Government's long-term objective is to secure full respect for human rights in Sweden. Representatives of central government, municipalities and county councils are all, within the framework of their professional roles, obliged to respect human rights in relation to the individual. Education on human rights is thus a way of preventing abuses in the long term. The Government intends, as a step in the implementation of this action plan, to further educate employees within central government agencies, municipalities and county councils over issues of human rights. People belonging to professional groups with

special responsibility for rights should, however, have an awareness and understanding of what human rights mean in terms of professional life right from the start. Among other things, it is important for a number of professional groups to have an understanding of issues of discrimination.

A revision is currently being carried out of exam descriptions for professional examinations in the degree ordinance (Higher Education Ordinance 1993:100, appendix 2). In connection with this revision the Government is considering whether there is any need to introduce requirements of knowledge of human rights in relevant examination descriptions for professional examinations or whether it is possible in some other way to promote knowledge of human rights in higher education.

6.3 Expertise development with regard to human rights within public administration and the court system

Introduction

The evaluator of the first national action plan for human rights has, like many representatives of the reference groups, strongly emphasised the importance of knowledge of human rights within the public sector. The Government shares this view. Knowledge of human rights at all levels of the societal organisation represents one of the most important components in the work of ensuring total respect for the rights concerned. The Government also believes – as do the evaluator and many representatives of the reference groups, including a large number of agencies – that it is imperative to ensure that the educational measures employed are systematic and are followed up, and that they are adapted as far as possible to the situation where the knowledge is to be applied.

The Government intends during March 2006 to establish a delegation with the task, among other things, of working with various measures to increase knowledge of human rights in public activity.

The Government also intends, e.g. in the agencies' steering documents, to clarify the agencies' responsibility with respect to human rights and through various measures to increase understanding of human rights within the agencies. This work is described in the section on agency management.

The section on the role of the municipalities and county councils in the promotion of human rights also sets out measures intended to increase knowledge and awareness of human rights within these sectors.

Education on human rights within the Government Offices

Measure 120: The Government intends during the period 2006–2009 to initiate regular training courses on human rights for administrators and managers within the Government Offices.

Government Offices staff are a central target group if clear management of state activity in the area of human rights is to become possible, and to promote an increased and more general awareness of these issues within

different political areas. Several education measures geared towards human rights have been implemented within the Government Offices since the first action plan was drawn up in 2002.

The Government believes it is imperative that these education measures be regularly implemented for staff at different levels of the Government Offices organisation. Most training courses that have been carried out on the basis of the first action plan have been geared towards new administrators. It is now therefore essential to combine these measures with new training courses for managers and experienced administrators.

The training courses will involve both general issues relating to human rights and issues connected to this area, including such subjects as gender equality, non-discrimination, the rights of the child, the rights of people with disabilities and the rights of national minorities.

The court system

Measure 121: Since 2002, the National Courts Administration has been regularly instructed in the appropriation directions to record how provisions and intentions in the UN conventions on human rights and the European Convention on Human Rights have been observed in the education operation. The National Courts Administration is one of the agencies which has special importance in the promotion of human rights and it will therefore be covered by the agency management with regard to issues relating to human rights.

The courts have a central role in the promotion of human rights. As a self-sufficient, independent power in relation to public administration, they represent the ultimate opportunity for the individual to demand his or her rights. Judges are trained in Swedish law, including the European Convention on Human Rights, but they should also have sufficient knowledge of Sweden’s international obligations to interpret Swedish law in accordance with those obligations.

A number of representatives from the reference groups have expressed the view that knowledge of human rights needs to be strengthened within the legal system. The National Courts Administration has on its own initiative carried out a study to determine what judges feel needs to be included in training in EC law and European Convention law. A substantial proportion of the judges who answered the questionnaire stated that they need further training of this kind.

Since 2002, the National Courts Administration has been regularly instructed in its appropriation directions to record how provisions and intentions in the UN conventions on human rights and the European Convention on Human Rights have been observed in the education operation. In the appropriation directions for 2004, 2005 and 2006, the National Courts Administration was also instructed to record measures taken to increase knowledge of crimes of human trafficking for sexual purposes and to produce a description and analysis of measures carried out in accordance with the strategy for competence development in discrimination issues which the National Courts Administration previously submitted to the Government.

The National Courts Administration is part of the group of agencies upon which the Government will focus with regard to agency management relating to issues of human rights.

6.4 Training material on human rights

Training material on human rights

Measure 122: The Government intends to commission the Forum for Living History, starting in 2007, to continuously update the survey of training material on human rights.

In its appropriation directions for 2005 the Government has given the Forum for Living History a commission relating to training material on human rights for use in the education system. Part of the assignment involves producing a survey of existing training material on human rights, pinpointing the areas in need of supplementary material and coordinating the work of producing new training material for the education system in the areas where a need has been perceived. The assignment also involves compiling and making available existing material. Within the framework of the assignment the Forum for Living History has collaborated with universities, colleges, schools, private organisations and other relevant players. The assignment is to be reported in connection with the annual report.

Starting in 2006 the Forum for Living History will disseminate the material from the mapping to selected target groups within the education sector. During 2006 supplementary training material will also be produced and disseminated in collaboration with the organisations involved. The project is expected to be completed in June 2007. The Forum for Living History will work on this assignment with the Swedish NGO Foundation for Human Rights and will consult with, among others, the National Agency for School Improvement.

It is essential that the survey of training material on human rights which the Forum for Living History has carried out be kept updated and made available to the rest of the community. The Government intends therefore to commission the Forum for Living History, starting in 2007, to continuously update the survey. Within the framework of this task the Forum for Living History should collaborate with other organisations commissioned to act in the field of human rights.

6.5 Dialogue on human rights

Dialogue with elected representatives

Measure 123: The Government intends during the period 2006–2009 to invite elected representatives at national and municipal level to take part in dialogue relating to respect for human rights in Sweden.

Elected representatives have an extremely important role in the promotion of human rights. During the work on this action plan a large

number of representatives from the reference groups stressed the importance of the role of Riksdag (Parliament) members and municipal politicians. The evaluation of the first action plan for human rights also emphasised the role of the Riksdag.

The Government believes for several reasons that it is imperative to initiate dialogue on human rights with elected representatives at both national and municipal level. It is, among others, the elected representatives who have to ensure through their decisions that human rights are respected. The elected representatives also constitute important channels between different parts and levels within the social organisation and they can thereby help to spread the discussion on human rights.

The Government therefore intends regularly to invite elected representatives at national and municipal level to take part in dialogue on respect for human rights in Sweden.

Global responsibility

Measure 124: Through the initiative Swedish Partnership for Global Responsibility the Government is promoting a continuous dialogue with the social partners and NGOs on issues relating to human rights, working conditions, environment and the fight against corruption. The Government intends to continue this dialogue during the period 2006–2009.

Through the initiative Swedish Partnership for Global Responsibility there is a continuous dialogue with the social partners and private organisations on issues relating to human rights, working conditions, environment and the fight against corruption. The initiative was launched by the Prime Minister in 2002 to stimulate the business sector to work to promote a sustainable global development through increased social and environmental responsibility (Corporate Social Responsibility, CSR). The starting-point is the OECD guidelines for multinational companies and the principles in the UN Global Compact. The three overall objectives of Global Responsibility are to help promote human rights and a fair and sustainable global development, to strengthen Swedish companies' competitiveness and to increase both the understanding and the observance of the multilateral regulations.

Global Responsibility aims during the period 2006–2009 to work *internally* to ensure that the Government Offices and relevant agencies have a good understanding of CSR and how they in their work and within their areas can help to create the conditions for social and environmental assumption of responsibility, especially in the area of human rights. The state should set an example in the sphere of social and environmental assumption of responsibility. In concrete terms this can be achieved by, for example, increasingly adopting a social perspective which includes human rights in public procurement and state ownership policy where this is possible. Global Responsibility therefore aims to intensify information and training measures in the area and to investigate the opportunities for embracing issues relating to human rights and social responsibility in public purchasing.

Externally Global Responsibility aims, among other things, to stimulate the exchange of knowledge and experience among companies, trade unions and NGOs with regard to such things as human rights and working conditions in connection with companies' international activities. Global Responsibility will arrange, both independently and in collaboration with other interested parties, seminars, conferences, round--table discussions, training projects and meetings in Sweden to stimulate discussion on what social and environmental responsibility might mean in practice.

Global Responsibility will also take these issues and the practical work out into the field during this period in collaboration with foreign agencies and interested parties on site. The Government's promotion policy plays an important role here. The Government will also work actively via Global Responsibility with policy development within the UN Global Compact and the collaboration within the international standardisation organisation (ISO) to produce a guiding standard for social responsibility. The ISO work started in 2004 and will run for at least three years.

Human rights are also a prioritised part of the promotion of the OECD guidelines through the work carried out in what is known as the Swedish national contact point for the OECD guidelines for multinational companies. All OECD countries have national contact points which should work to ensure that the OECD guidelines for multinational companies are observed. In Sweden the national contact point belongs to the Ministry for Foreign Affairs and consists of representatives from several ministries, trade and industry and trade union organisations.

European youth campaign on human rights and non-discrimination

Measure 125: The Government aims during 2006 and 2007 to carry out the Council of Europe's campaign "*All Different All Equal*", the purpose of which is to increase understanding among young people of human rights and issues of non-discrimination.

The rights perspective, together with the resources perspective, the independence perspective and the diversity perspective, lays the basis for the youth policy's two overall objectives: Young people should have real access to welfare and they should have real access to power. Young people should also have the same right to good living conditions as other citizens. Good living conditions means that young people's human rights should be protected and promoted and young people should be guaranteed social and economic security, good health and development opportunities. Not least it includes the right to participate in the community and to have an influence over one's own life, one's immediate environment and social development as a whole. This is what is meant by the rights perspective in the national youth policy. The UN Convention on the Rights of the Child represents an important starting-point for all public activity which affects children and young people under the age of 18 and thus also for the national youth policy.

The Council of Europe's member states decided in 2005 to launch the campaign *All Different All Equal.* Within the framework of this campaign activities should be carried out with the purpose of increasing understanding among young people of human rights and issues of non-discrimination. The campaign, which is to be carried out during 2006 and 2007, will involve activities at both national and international level. The Government intends to give the delegation for human rights that is to be set up the task of coordinating and operating as a contact point for the players involved in the implementation of the campaign in Sweden.

Dialogue with the religious community

Measure 126: The Government has commissioned the Swedish Commission for State Grants to Religious Communities to deepen the dialogue with the religious community over society's basic values. Details of this task are to be reported in December 2006.

The Swedish Commission for State Grants to Religious Communities (SST) has extensive and regular contacts with various members of the religious community, organisations and with other government agencies. In 2002 SST was commissioned by the Government to deepen the dialogue with the religious community over issues relating to women's rights and the rights of the child. In the final report from December 2003 SST writes that it is essential that SST continue to be allowed to work on the task of deepening the dialogue over these matters and that the continuing work can only in certain parts be carried out within the framework of SST's budget.

The Government has given SST the task of continuing its dialogue with the religious community over society's basic values and of expanding this dialogue to include other members of the religious community than those previously spoken to. Details of this task are to be reported by 31 December 2006 at the latest.

See also: Measures 112 and 133.

6.6 Language and information issues

Introduction

It was suggested in the evaluation of the first national action plan for human rights that the next action plan should include a broader strategy on language and human rights with braille and sign language included. The evaluator emphasised the importance of language as a tool with which the individual might be able to assert his/her rights and take part in the public debate. Issues of information on human rights and the Government's website on human rights, www.humanrights.gov.se, are also dealt with in the evaluation. A number of representatives from the reference groups have also highlighted issues of language and information with respect to human rights.

This section deals with several measures connected with language and information on human rights. Issues relating to mother-tongue teaching in national minority languages and expansion of the Sami and Finnish administration area are, however, dealt with in the section on national minorities. Issues relating to pre-school school children with mother tongues other than Swedish are dealt with in the section on the right to education.

New organisation for guidance on the use of Swedish

Measure 127: From 1 July 2006 the current, central, state-financed organisation responsible for providing guidance on the use of Swedish will be strengthened, coordinated and incorporated in the agency the Institute for Dialectology, Onomastics and Folklore Research in order to make space for increased initiatives relating to the Swedish language, national minority languages, Swedish sign language etc. The responsibility for the Sami language work will, however, remain with the Sami Parliament.

The language situation in Sweden has changed in many different ways. Five languages, Sami, Finnish, Meänkieli, Romany Chib and Yiddish, are listed as national minority languages. In Sweden there are well over a million people with a foreign background and for many of them Swedish is a second language. Swedish sign language is an important part of deaf culture and is the mother tongue for around 10 000 people who have been deaf from birth. It is also used by an equal number of people with hearing impairments. In addition to this, the use of English is increasing in more and more areas. The Government believes that there needs to be an overall Swedish language policy to promote the Swedish language so that all people in Sweden are given the opportunity to acquire it and so that sign-language practitioners and Sweden's recognised national minorities have the opportunity to use and develop their languages.

The bill entitled *Bästa språket – en samlad svensk språkpolitik* (The best language – an overall Swedish language policy,prop. 2005/06:2), which was agreed by the Riksdag (Parliament) in December 2005, included a proposal for national language policy objectives. These state that everyone has a right to language, and this includes developing and using one's mother tongue. To achieve the objectives of the language policy, guidance on the use of Swedish needs to be coordinated and strengthened. The current, central, state-financed organisation responsible for providing guidance on the use of Swedish will therefore be strengthened, coordinated and incorporated in the agency the Institute for Dialectology, Onomastics and Folklore Research (SOFI) in order to make space for increased initiatives relating to the Swedish language, national minority languages, Swedish sign language etc. In December 2005, SOFI was instructed by the Government to incorporate the organisation responsible for language guidance into its operation from 1 July 2006. The responsibility for the Sami language work will, however, remain with the Sami Parliament.

The position of Swedish sign language

Measure 128: The inquiry into the position of sign language will report its conclusions by April 2006 at the latest. The Government intends thereafter to consider which measures are to be taken on the basis of the proposals put forward by the inquiry.

Swedish sign language is an important part of deaf culture and is the mother tongue for around 10 000 people in Sweden who have been deaf from birth or early childhood. There is also an equally large group of children and adults with hearing impairments who use sign language. For these people the opportunity to make themselves understood in sign language is a basic prerequisite for participation. There are also persons with hearing who, due to disabilities, are unable to assimilate the spoken or written language and who are therefore dependent on sign language for their communication.

An investigator is currently reviewing the position of sign language (ToR 2003:169). The assignment involves carrying out a review of the right to use sign language and the opportunities for using it in different situations, e.g. in working life and with social support. The inquiry will also map the conditions for equal education in sign language and the opportunities to provide deaf immigrants with training in Swedish sign language. The assignment also includes a study of how opportunities have improved for elected representatives who are dependent on sign language for their communication in order to be able to handle their business tasks in the same way as other elected representatives.

A report of the assignment should be completed by April 2006 at the latest. The Government intends thereafter to consider which measures are to be taken on the basis of the proposals put forward by the inquiry. This action plan for human rights also includes several proposals, e.g. in the area of discrimination, which involves persons with disabilities and also deaf and other people who are dependent on sign language for their communication.

Information and knowledge on human rights for the general public

Measure 129: The Government intends to give the delegation for human rights that is to be set up the task during the period 2006–2009 of spreading information and knowledge of human rights to groups among the general public who at present do not receive sufficient amounts of such information and knowledge.

The task of implementing the first national action plan for human rights has shown that there is a need for a basic review of questions on how information on human rights can reach different groups among the general public. The individual needs to be aware of and to have basic knowledge of his or her human rights in order to be able to monitor and safeguard them. Experiences gained by the Ombudsman against Ethnic Discrimination also show that there are groups in Swedish society who feel great mistrust towards the public administration and who therefore rarely make contact with agencies over issues relating to their rights. For

information on human rights to reach groups whose rights have been abused or are at risk of being abused it may therefore be necessary to used so-called integrated communication, i.e. an active, focused operation.

The delegation for human rights that is to be set up (see Measure 103) is therefore given the task of surveying how different types of information and knowledge of human rights are spread today. On the basis of the mapping, the delegation should analyse which groups among the general public do not receive sufficient information and knowledge of this kind. The delegation will also be given the task of spreading information and knowledge on the subject of human rights in accordance with the analysis that has been carried out. The delegation should take particular care to ensure that information on human rights is available in different languages, including the national minority languages and Swedish sign language, and that it is available to people with disabilities.

Measures for developing the Government's website on human rights

Measure 130: The Government intends during 2006 and 2007 to adapt the Government's website on human rights for people with disabilities and to have sections of the website translated into different languages, including the national minority languages. The Government also intends to develop special pages for different user groups, e.g. agencies.

As part of the implementation of the first national action plan for human rights the Government's website on human rights, www.humanrights.gov.se, was set up. The evaluator of the first action plan has recommended further investment in this website. The evaluator also stressed the importance of language, in a broad sense, to enable the individual to know and demand his or her rights. The representatives from the reference groups have also highlighted the importance of language in this context.

The Government shares the view that it is essential that information on human rights, including that which is spread via the Government's own website, be more adapted for persons with disabilities and made available in different languages, including sign language and the national minority languages. The Government intends to further adapt parts of the website for special groups of users, e.g. agencies, municipalities and county councils, in order to make the website a practical tool in their work of promoting human rights within the framework of their own activity.

Translation and dissemination of international documents on human rights

Measure 131: The Government intends during 2006–2009 to intensify its work of spreading documents relating to Sweden's observance of international agreements on human rights and will continue to have certain documents of this nature translated into Swedish.

In accordance with the first action plan, the Government arranged during the period 2002–2004 to have conclusions about Sweden's observance of

conventions on human rights from the UN's and certain of the Council of Europe's supervisory committees translated into Swedish. These documents have been set out on the Government's website on human rights, www.humanrights.gov.se. This website also contains summaries of judgements made by the European Court against Sweden that have acquired legal force. Memoranda with the judgements attached are sent to the agencies concerned. Certain other documents on human rights that have been of particular interest to other agencies have also been translated.

However, during the reference meetings that were held in the course of the work on the action plan, it has been observed that documents from international bodies concerning Sweden's observance of international agreements on human rights continue to receive insufficient dissemination.

The Government intends during 2006–2009 to intensify its work of spreading knowledge of documents from international bodies relating to Sweden's observance of international agreements on human rights. Such documents will also continue to be translated into Swedish.

The Government will also, when the need arises, have other documents on human rights translated into Swedish if these are deemed to be of special interest to the agencies.

It should also be mentioned in this context that recommendations have been adopted within the Council of Europe concerning, among other things, the publication and dissemination of the text of the European Convention on Human Rights and the case law of the European Court of Human Rights in the member states.

7 Monitoring and evaluation

Follow-up of the action plan

Measure 132: The Government intends to instruct the inter-ministerial working group for human rights to monitor continuously the implementation of this action plan and to make a report on this follow-up at the latest by March 2010.

The action plan for human rights which has been summarised here covers the four-year period 2006–2009 and contains a number of measures. It is of the greatest importance that the work of implementing the action plan is regularly monitored. The inter-ministerial working group for human rights has the task of continuously monitoring the implementation of the various measures during the period of the action plan. It is therefore natural for the working group to be also given the task of following up the action plan and to report on this follow-up in connection when the period covered by the action plan comes to an end in 2009. This report should be submitted by March 2010 at the latest. Should any measure in the action plan not have been implemented, the reasons for this should be presented in the memorandum as far as possible.

Half-way seminar on the implementation of the action plan

Measure 133: The Government intends to invite the reference groups to a half-way seminar in spring 2008 to check and discuss the implementation of this action plan.

This action plan has been prepared through an extensive process of consultation in various parts of society. The reference groups that have participated in the work of producing the survey and the action plan have put forward a number of points of view and proposals which have had a great influence on the content of the document. It is important to continuously follow up the implementation of the measures announced in the action plan and to maintain the dialogue with the reference groups that have participated in the work. Furthermore, it is conceivable that changed conditions in society create a need to change focus in the work of implementation or that problems not taken up in the action plan need to be discussed with the reference groups.

For these reasons, the Government will invite the reference groups during spring 2008 to a half-way seminar where the state of progress as regards implementation of the action plan will be reported on and discussed.

Evaluation of the Action Plan

Measure 134: The Government intends to have an evaluation made of the action plan at the latest by spring 2010.

The first national action plan for human rights was evaluated by the then secretary-general for the Olof Palme International Center, Thomas Hammarberg, who took up an appointment as the Council of Europe's Commissioner for Human Rights in April 2006. The evaluator's report has been published in Swedish on the Government website for human rights, www.humanrights.gov.se, and also sent to all reference groups, as well as to other interested parties. This task included making an evaluation of the implementation and results of the action plan and presenting conclusions and recommendations for the next action plan.

The results from this evaluation constituted very valuable material when producing the second national action plan för human rights. The Government considers also that an evaluation contributes to openness and confidence in the Government's work on human rights issues. The Government therefore intends to have an evaluation made of the implementation of this action plan. The work carried out by the delegation for human rights which is to be established should also be evaluated.

The next national action plan for human rights

Measure 135: The Government intends to start work on the third national action plan for human rights at the latest by spring 2010.

Work on the Government’s long-term goal, achieving full respect for human rights, must be a continuous process. The development of the international system of rules on human rights as well as changes in society at the national level mean that new issues and problems arise and new measures need to be taken in order for Sweden’s international human rights obligations to be fully respected.

The Government’s assessment is that national action plans for human rights are an appropriate method to work with these issues. This method means that the situation for human rights is regularly reviewed and a co-ordinated approach taken to human rights at the national level. Furthermore, the work on every action plan is a process of consultation with broad sectors of the community, which contributes to increased awareness, knowledge, openness and discussion about human rights issues.

For these reasons, the Government intends to start work on a further action plan at the latest by spring 2010, in parallel with the evaluation of the present action plan. During the period that the new action plan is being produced, the Government will continue the work for human rights based on this action plan.

Annex 1 – Recommendations from the evaluation of the first action plan

Excerpt from "*Bra början, men bara en början"* (A good beginning, but only a beginning", Comments on and evaluation of the national action plan for human rights, in Swedish), Ministry of Justice (dnr Ju2004/6673/D)

Thomas Hammarberg, January 2005

Our task included making recommendations for future work with the next action plan. The following pages contain a summary of the conclusions we have previously presented as a number of recommendations. Our recommendations are largely based on the points of view received from the actors we have contacted in the course of the evaluation work.

1. The ambition to prepare an action plan for human rights and present the Government's priorities openly is valuable and appreciated. The work on the plan has led to increased awareness among those directly concerned at the Government Offices and established a foundation for better coordination between departments and ministries. This in itself is an argument in favour of continuing to produce time-limited action plans for human rights.

2. The very existence of an action plan for human rights is also perceived as a signal that this area is given priority in the Government's policies. It underlines that the Government does not regard human rights issues as solely foreign policy problems and serves as an admission that these rights also need to be protected in our own country. In order for work with the coming action plan to be meaningful and produce results, there must be room for human rights in the political process and funds must be provided to comply with the objectives. This is a matter of credibility. In the case of human rights, there must not be a gap between words and actions.

3. A clear official indication is needed – in the declaration of government policy or in another context – that the treaties for human rights ratified by Sweden will have a binding impact on the exercise of authority and justice in Sweden.

4. It was positive and appreciated that the Government Offices consulted on a broad basis and in detail with many stakeholders during the actual planning process. It is anticipated that there will be a similar active open approach next time. We also recommend closer contact with the Swedish Parliament, the Riksdag, during the planning phase.

5. The next plan should be more concrete, more action-oriented and clearer as regards deadlines and reporting. The national action plan for

human rights must also be congruent with other more specialised action plans on human rights.

6. A strategic instrument in execution of the plan is the Government's appropriation directions to the authorities – detailed formulations about the implementation of the plan should be included in these instructions, including the submission of reports. Follow-up and reporting should be imbued with a citizen perspective with the focus on the result achieved. The Government Offices should investigate the possibility of preparing indicators for measuring work with human rights. If the expected result has not materialised, the reason for this should be investigated and new measures prepared. We moreover recommend that the agencies' directives and/or other policy instruments should emphasise the importance of the rights perspective. The commitment and interest of the heads of agencies is crucially important.

7. An in-depth survey of the present situation must be made to initiate the work with the next action plan. It should include a serious problem inventory and needs analysis. It is logical that structural aspects also dominate the next action plan, in particular as the Government Offices act as a catalyst to a great extent.

8. There should also be scope for the perspective of those whose rights have been encroached upon, and attention should be given to the issue of compensation and reparation. An important aspect is consideration to those who for various reasons have difficulties in stating their case. We propose that a broader strategy be prepared on language and human rights and that Braille and sign language be included in this initiative.

9. The next action plan should define the areas to be given special priority. This will be an important complement to the more structural measures which are otherwise emphasised in the plan, thus making the plan sufficiently concrete.

10. Further planning and additional measures will be needed for all issues mentioned in the first action plan as having special priority. This also applies to questions relating to discrimination which are dealt with by the Discrimination Committee.

11. The next plan should have a consistent equality perspective and draw to attention both the rights of children and the rights of persons with disabilities. It should be possible to provide more in-depth information on the rights of the elderly and on the issue of segregation in housing. A lot has happened in Sweden as regards the rights of national minorities and expectations now exist that ILO Convention no 169 will finally be ratified. This decision will require measures for implementation and for information about what ratification entails. The next action plan should contain an undertaking by the Government to report at regular intervals on the work of preparing ratification of international norms on human rights and then also giving reasons for delays or decisions to refrain from suggesting ratification. Recommendations from the UN monitoring

committees should be examined systematically and a report made on the measures decided upon. It should also be ensured that agencies and others affected who work with the issues taken up by the monitoring committees are informed about such recommendations.

12. Despite ambitions in the opposite direction, economic and social rights were given a relatively modest place in the first action plan. A special analysis is needed before the next plan about the requirements to be made for implementing the International Covenant on Economic, Social and Cultural Rights and the Council of Europe's Social Charter. Lessons can be drawn in this work from the experience of applying the Convention on the Rights of the Child. A deeper understanding is needed on the real content of the rights-based programmes (an analysis which has made greater progress in development assistance policy).

13. The fact that Sweden has become increasingly multicultural and that many immigrants have roots in other countries makes special demands for responsiveness on the rights of these people. A lot has been done – for instance, translating important texts on human rights into minority languages – but it is time for a broader study on the extent to which the new Swedes receive their rights. This is not just about the risk for exclusion in general but about more concrete obstacles, language and other barriers which make it more difficult to demand one's rights.

14. Sweden has also been affected by the international measures against terrorism. Terrorism must be counteracted efficiently, although it is important that this struggle takes place within the framework of the norms on human rights. During the months after 11 September 2001, repressive measures were taken which also affected people in Sweden. We propose that a special review be undertaken of the lessons that can be drawn from the measures undertaken then, including the deportation of the two Egyptians in December 2001. This review should be comprehensive and also include the rights aspect of processing secret foreign intelligence information and the problem of how an attorney is to be able to act for his client's interests to, for instance, prevent the risk of torture or grim, inhuman or degrading treatment. The Swedish Section of the International Commission of Jurists has drawn up a document (Annex 5 of the evaluation) about these matters which should serve as the basis for this review. In a letter in December 2004 to the minister Jens Orback, I, Thomas Hammarberg, also made some comments on the handling of the case with the two Egyptians who were deported in December 2001 (Annex 4 of the evaluation).

15. Education about human rights is of the greatest importance in the endeavour to achieve real change. This concerns both the place of rights in the ordinary education system as well as further training and ongoing training for those professions which are particularly relevant for promotion of human rights. This should be a clear priority in the next action plan. An extensive review of this sector should be carried out, including curricula, teaching material, teacher and head teacher training. Save the Children has contributed with a special analysis of rights in the

school system (Annex 3 of the evaluation). We recommend it for special examination and discussion.

16. More needs to be done to encourage further training in agencies, not least at managerial level, on human rights. Support is needed here for the respective agency. It is important that the Government Offices give special priority to this problem and look for organisational forms to make a support function of this kind effective.

17. The role of municipalities and county councils to protect and promote rights is important – but not clearly defined. The municipalities have an obligation to respect the international norms that Sweden has supported. At the same time, we safeguard local self-government in Sweden, which means that more concrete measures to promote rights cannot be dictated by central government. This dilemma requires new approaches which encourage decision-makers at the local government level as well to contribute to national policy for rights. We have noted that many municipalities have made great progress on their own initiative and have adopted local plans to protect certain rights, while other municipalities lag behind. It is therefore important that the representatives of the municipalities are consulted when preparing the next action plan and that the Government Offices prepares proposals on how individual municipalities can obtain support for training personnel on how to concretely promote human rights. It seems to be a challenge for future work to plan and secure effective measures for rights at all levels in our society. We recommend that the responsible minister take up this problem with the leadership of both the Swedish Association of Local Authorities and the Federation of Swedish County Councils.

18. The Government should complete the work with the information strategy with the aim of increasing awareness about human rights and creating a broad and open dialogue. The Government's website for human rights (www.humanrights.gov.se) has already become an important instrument. It is used not least in schools in a meaningful way. We recommend continued investment in this website.

19. The Ombudsmen are of key importance in how human rights are respected in Sweden. This applies both to the Parliamentary Ombudsman, the Children's Ombudsman and ombudsmen who are focused on matters relating to discrimination – the Equal Opportunities Ombudsman, the Disability Ombudsman, the Ombudsman against Discrimination on Grounds of Sexual Orientation and the Ombudsman against Ethnic Discrimination. It is important that their points of view are taken into consideration when preparing the next action plan and that their recommendations for reform are followed up as a priority by legislators, the Government Offices and agencies. The integrity of the ombudsmen should be respected and they should have resources to perform their important tasks. These are aspects which should be included in future discussions, for instance, when the final report of the Discrimination Committee is available.

20. The NGOs are another guarantee for rights issues being discussed and instances of injustice being drawn attention to – the trade union movement, human rights organisations, women's organisations, immigrant associations, the humanitarian groups, etc. The Government should continue to talk to these groups with continued respect for their independence and integrity.

Annex 2 – List of reference groups

Political parties
(represented in the Swedish Parliament, the Riksdag)
Centre Party
Christian Democrats
Green Party
Left Party
Liberal Party
Moderate Party
Social Democratic Party

Ombudsmen and the Chancellor of Justice
The Office of the Chancellor of Justice
The Office of the Equal Opportunities Ombudsman
The Office of the Ombudsman against Ethnic Discrimination
The Office of the Children's Ombudsman
The Office of the Disability Ombudsman
The Office of the Ombudsman against Discrimination on Grounds of Sexual Orientation

Agencies in the judicial system and related agencies
National Council for Crime Prevention
Crime Victim Compensation and Support Authority
National Courts Administration
National Economic Crimes Bureau
National Prison and Probation Administration
National Police Board
National Legal Aid Authority
National Board of Forensic Medicine
Office of the Public Prosecutor
Swedish Bar Association

Other agencies
Swedish Work Environment Authority
National Board of Housing, Building and Planning
Data Inspection Board
Living History Forum
Medical Responsibility Board
National Institute of Public Health
Swedish Armed Forces
Swedish Board of Agriculture
Swedish Coast Guard
Swedish Emergency Management Agency
Swedish Integration Board
Swedish Social Insurance Agency
Blekinge County Council

Dalarna County Council
Gotland County Council
Gävleborg County Council
Halland County Council
Jämtland County Council
Jönköping County Council
Kalmar County Council
Kronoberg County Council
Norrbotten County Council
Skåne County Council
Stockholm County Council
Södermanland County Council
Uppsala County Council
Värmland County Council
Västerbotten County Council
Västernorrland County Council
Västmanland County Council
Västra Götaland County Council
Örebro County Council
Östergötland County Council
Swedish Migration Board
Swedish Intercountry Adoptions Authority
Swedish National Agency for School Improvement
National Heritage Board
Sami Education Board
Swedish International Development Cooperation Agency (Sida)
National Agency for Education
National Board of Health and Welfare
Swedish Institute for Special Needs Education
National Agency for Special Educational Support, Sisus
National Board of Institutional Care
National Public Art Council
National Council for Quality and Development
Swedish Rescue Services Agency
Swedish Agency for Public Management
Swedish National Commission for UNESCO
Sign Language Commission
Board of Customs
National Board for Youth Affairs
Election Authority
National Road Administration

Municipalities and county councils, etc.
Municipality of Botkyrka
Municipality of Eskilstuna
Municipality of Göteborg
Municipality of Helsingborg
Municipality of Järfälla
Municipality of Kalmar
Municipality of Kiruna

Municipality of Kungsbacka
Municipality of Laxå
Municipality of Linköping
Municipality of Malmö
Norrbotten County Council
Municipality of Orsa
Skåne Region
Stockholm County Council
Municipality of Stockholm
Municipality of Strängnäs
Swedish Association of Local Authorities
Municipality of Södertälje
Municipality of Umeå
Municipality of Uppsala
Västra Götaland Region
Municipality of Växjö
Municipality of Österåker

Social partners
Swedish Agency for Government Employers
Swedish Trade Union Confederation (LO)
LO-TCO Rättsskydd (Legal Bureau)
Swedish Confederation of Professional Associations (SACO)
Confederation of Swedish Enterprise
Swedish Confederation of Professional Employees (TCO)

Universities and other institutions of higher education
National Institute for Working Life
Centre for Multiethnic research
National Board of Student Aid
Swedish National Defence College
Göteborg University, Institute for the Study of Human Rights
Göteborg University, Museion
Göteborg University, Swedish Secretariat for Gender Research
Göteborg University, Department of Political Science
University College of Borås, School of Education and Behavioural Sciences
University College of Dalarna, Department of Economics and Social Sciences
National Agency for Higher Education
Linköping University, Department of Behavioural Sciences
Lund University, Centre of Theology and Religious Studies
Lund University, Department of Law
Lund University, Department of Sociology
Malmö University, School of International Migration and Ethnic Relations
Swedish National Police Academy
Raoul Wallenberg Institute
Educational Centre of the Swedish Red Cross
Stockholm University, Faculty of Law
Södertörn University College

Stockholm School of Theology
Umeå University, Department of Law
Uppsala University, Department of Education
Uppsala University, Faculty of Law
Swedish Institute of International Affairs
National Agency for Service to Universities and University Colleges
Swedish Research Council
Växjö University, Department of Law
Örebro University, Department of Behavioural, Social and Legal Sciences

Non-Governmental Organisations

Note: The names of organisations (NGOs) listed below may differ in some cases from the official English name used by the organisation concerned. Checks have been made (for instance, on the English language websites of organisations). However, this information has not always been available and, for reasons of time, it has not been possible to contact every organisation.

Advokater utan gränser (Lawyers without Frontiers)
Adoption Centre
National Association of Africans in Sweden
National Albanian Association
All-Serbian Yugoslav National Association in Sweden
Amnesty International
Anglican Church
Workers' Educational Association
Armenian Apostolic Church
Armenian Association Ararat
Union of Armenian Associations in Sweden
Artists for Peace
Assyrian Federation in Sweden
National Azerbaijani Association in Sweden
National Bangladesh Association
Bibeltrogna vänner (Evangelical Lutheran Mission)
National Bolivian Association
National Bosnia-Herzegovina Women's Association in Sweden
National Bosnia-Herzegovina Association in Sweden
Bosnian-Swedish Women's Association
Bulgarian Orthodox Church
Caritas Sweden
Centre Party Women's Association
Centre against racism
Centrum för rättvisa (Centre for Justice)
National Chilean Association
Danish Church in Sweden
Academy of Democracy
Diakonia
Diskrimineringsbyrån (Association against Discrimination)

Association of Sweden School Students
Eritrean Coptic Orthodox Church
National Eritrean Association in Sweden
Estonian Orthodox Church
Estonian Evangelical Lutheran Church
Estonian Committee
Ethiopian Orthodox Church
National Ethiopian Association in Sweden
Evangelical Patriotic Association
EFK/Inter Act
Exit
Expo
FATIMA
FIAN-SWEDEN
National Association of Swedish-speaking Finns in Sweden
Finnish Orthodox Congregation in Sweden
Swedish Network of Asylum and Refugee Support Groups
National Federation of People's Parks
Women's Association of the Liberal Party
Folk University
Peace Team Forum
Forum for Voluntary Social Work
Forum – Women and Disability in Sweden
Fritidsforum (Leisure Forum)
Swedish NGO Foundation for Human Rights
Salvation Army
Salvation Army Social Services
National Association for Disabled Children and Young People
United National Bangla Deshi Association
Association of Islamic Congregations in Sweden
Fourth World Association
Swedish Development Forum
Gaston Lobos Association
Swedish National Association of Travellers
Greek Orthodox Church National Greek Association
Swedish Disability Federation
Swedish Humanist Association
Home and Community Association of Housewives
Swedish Union of Tenants
Intercultural Forum
National Federation of Immigrants in Sweden
Swedish Organisation for Individual Relief
Swedish Industrial Workers' Union
National Ingermanland Association
International Entrepreneurs' Association in Sweden
Swedish Section of the International Commission of Jurists
International Artists of Sweden
International Women's Association
International Women's Association for Peace and Liberty
IOGT-NTO Movement
Federation of Iraqi Associations in Sweden

Iranian-Swedish Solidarity Association
National Association of Iranian Refugees in Sweden
National Association of Iranian Associations
National Iranian Federation in Sweden
Islamic Cultural Centre Union in Sweden
Church of Iceland in Sweden
National Icelandic Association in Sweden
National Italian Association
National Japanese Association in Sweden
Judiska Centralrådet (Jewish Central Council)
Official Council of Jewish Communities in Sweden
"Ivo Andric" Yugoslav Association
KFUK-KFUM
Committee for the Defence of the Rights of Iranian Women
Coptic Orthodox Church
Korean Association in Sweden
Criminals Return Into Society (CRIS)
Swedish Fellowship of Reconciliation (SweFOR)
National Croatian Association
Council of Kurdish Associations in Sweden
National Kurdish Association
National Association of Kurdish Youth
National Kurdish Union Association
Women's Kurdistan Association
Women to Woman
Women's Forum
Women for Peace
Women's Rights Forum
National Council of Swedish Youth Organisations – LSU
Latvian Central Council
Latvian Evangelical Lutheran Church
Latvian Aid Committee
Liberal Youth Association
Liberia Dujar Association-Sweden
Lions Club International
Church of Sweden Aid
Swedish Teachers' Union
National Union of Teachers in Sweden
Macedonian Orthodox Church
National Macedonian Association in Sweden
Citizens' Movement
Medborgarskolan (adult education)
Methodist Church of Sweden
Moderate Party Women's Association
Nordic Association for the Needs of Sick Children
Nordic Committee for Human Rights
Norwegian Church in Sweden
Educational activity of the Sobriety movement
Trade Union Network of Active Immigrants
The Olof Palme International Center
Orthodox and Eastern Churches' Ecumenical Council (OÖKER)

Palestinian Workers' Association
Palestinian Network
National Association of Pensioners
Swedish Pentecostal Movement
Association of Polish Combatants in Sweden
Polish Congress in Sweden
Polish-Swedish Women's Association in Sweden
Association of Portuguese Women
National Portuguese Association
National Association of Roma Travellers
Children's Rights in Society
RFK – Finnish Children of War Association
National Association of Ethiopians in Sweden
National Association for the Rights of the Family (RFFR)
National Association for Aid to people addicted to drugs and pharmaceuticals (RFHL)
National Federation of Polish Associations in Sweden
RFSL – Swedish Federation for Lesbian, Gay, Bisexual and Transgender Rights
Swedish Association for Sexual Education (RFSU)
National Association for Disabled Children and Adolescents (RBU)
National Home and Community Association
National Huelén-Chile Association
Swedish International Association of Immigrant Women (RIFFI)
National Pensioners' Community Association
National Congress Roma International
Swedish Sports Confederation
National Federation of Salvadorian Associations
National Association of Women's Emergency Call Centres in Sweden (ROKS)
Roma International
National Roma Association
Roman Catholic Church in Sweden
Roma Cultural Centre
Romanian Orthodox Church in Sweden
Russian Orthodox Church (Holy Transfiguration Orthodox church)
Advisory Office for Asylum Applicants and Refugees
Save the Children Sweden
Save the Children Youth Association
Swedish Red Cross
Red Cross Youth Association
Social Democratic Women's Association
The National Salvadorian Association
Liaison Body for Ethnic Organisations in Sweden (SIOS)
Sensus Study Association
National Serbian Association in Sweden
Serbian Orthodox Church
National Serbian Association in Sweden
SISU Sports Trainers
Seventh-day Adventist Church
Schools against Racism

Slovenian National Association in Sweden
Social Mission
National Somaliland Association
Somaliska Hakaba för kultur och utvecklingsfirma
(Somali Hakaba for Culture and Development)
National Somali Association in Sweden
Somali Advice Office
National Spanish Association in Sweden
Stockholm's City Mission
Mälardalen Foundation's Women's Lobby
Stockholm UN Association
Stockholm Catholic See
Study Promotion Association
Bilda Study Association for Church and the Community
Vuxenskolan Study Association
National Sudanese Association
Swedish-Chilean Friendship Association
Swedish Refugee Aid
Swedish Alliance Mission
Swedish Bahá'í Community
Baptist Union of Sweden
Swedish Refugee Council
United Nations Association of Sweden
Swedish Peace Committee
Swedish Helsinki Committee for Human Rights
Swedish Islamic Congregations
Swedish Islamic Communion
Swedish Local Government Pensioners Association
The Church of Sweden
Mission Covenant Church of Sweden
Swedish Orthodox Church
Swedish PEN
Swedish Sami Association
Swedish National Tornedalers Association
Swedish UNIFEM Committee
National Swedish-Estonian Association
Swedish Finnish Delegation
National Association of Finns in Sweden
Finnish Youth in Sweden
Swedish Civil Defence Association
Swedish National Association of the Deaf
Swedish National Union of Students
National Swedish Ingermanland Association
Association of Immigrant Authors in Sweden
Christian Council of Sweden
Christian Social Democrats in Sweden
Swedish Association of Women's Shelters
National Association of Call Centres for Swedish Men (SMR)
Muslim Association of Sweden
Swedish Muslim Council
Swedish Association for Senior Citizens

Swedish Local Government Pensioners Association
World Federalist Association of Sweden
Soroptimist International of Sweden
Swedish Association of the Visually Impaired
Assyrian Federation in Sweden
National Syrian Association in Sweden
Syriac Orthodox Representation in Sweden
Syrian Orthodox Archbishopric in Sweden and the rest of Scandinavia
National Czechoslovakian Association
Turkish Youth Association
National Young Eagles' Association
Hungarian Protestant Church
National Hungarian Association
Verdandi
National Victor Jara Association
Assyrian Church of the East